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HOUSE JOURNAL
OF THE
First Session
OF THE
LEGISLATIVE ASSEMBLY
OF THE
TERRITORY OF MONTANA

Begun at Bannack, the Capital of said Territory,
on the 12th day of December 1864,
and concluded on the 9th day
of February 1865

GEORGE DETWILER
Speaker of the House

William L. Brown
Chief Clerk

George G. Stevens
Assistant Clerk

W. J. Richardson
Engrossing Clerk

J. J. Blake
Enrolling Clerk

George W. Hill
Sergeant at Arms

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First Session
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Legislative Assembly
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on the 12th day of December 1864,
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Note: In transcribing this Journal from the original handwritten copy certain grammatical and spelling changes were made for uniformity. The original Journal remains on permanent file in the office of the Secretary of State.



GOVERNOR.....SIDNEY EDGERTON

MEMBERS OF THE FIRST
LEGISLATIVE ASSEMBLY

House of Representatives

Names of Members	Counties Represented	Postoffices
Bell, Francis.....	Madison and Edgerton.....	Virginia City
Buck, Isaac N.	Jefferson and Deer Lodge.....	Beaver City
Courtright, Milo	Jefferson	Beaver Town
Detwiler, George, Speaker...	Jefferson	Silver city
Faulds, William	Beaverhead	Bannack City
Huffaker, Wila	Madison	*
Johnson, E. B.	Missoula.....	*
Mayhew, A. E.....	Madison.....	Virginia City
McCormick, W. J.	Madison.....	Virginia City
Rogers, John H.	Madison	*
Ryan, Patrick	Madison.....	Nevada City
Smith, Andrew J.....	Beaverhead.....	Bannack City
Stuart, James	Deer Lodge	Cottonwood

Subordinate Officers

William L. Brown.....	Chief Clerk
George G. Stevens	Ass't Clerk
W. J. Richardson	Enr. Clerk
J. J. Blake	Eng. Clerk
George W. Hill.....	Sergt. at Arms

Council

Names of Members	Counties Represented	Postoffices
Bagg, Charles S.	Madison, Deer Lodge, Missoula...	Deer Lodge
Lawrence, Robert.....	Madison.....	Alder Gulch
Leavitt, Erasmus D.	Beaverhead.....	Bannack
Merriman, Nathaniel	Jefferson	*
Potter, Anson S.....	Madison	*
Thompson, Frank M.	Beaverhead.....	*
Worden, Frank L.	Deer Lodge, Missoula	Hellgate

Subordinate Officers

George A. Haynes.....	Secretary
Frank H. Angevine	Ass't Secretary
Robert Hereford	Eng. Clerk
John C. Ryan	Enr. Clerk
Harrison G. Otis	Sergt. at Arms

*Not Available

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FIRST LEGISLATIVE ASSEMBLY

OF

MONTANA TERRITORY

Convened at Bannack, December 12th, 1864

The first Legislative Assembly of the Territory of Montana, pursuant to a call of the Governor, met at Bannack City, Monday, December 12th A.D., 1864 at 12 o'clock.

The Governor proceeded to call the roll. The following members being present: Bell, Buck, Courtright, Detwiler, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart and Smith came forward, were sworn in by the Governor, and subscribed to the oath.

On motion of Mr. Courtright, Mr. Detwiler was elected Chairman Pro Tem. Mr. Haynes was nominated as a candidate for temporary Clerk by Mr. Smith. W. L. Brown was nominated by Mr. Mayhew for the same position. The members proceeded to an election by ballot, which resulted in the election of W. L. Brown first Clerk Pro Tem.

On motion of Mr. Courtright, the House adjourned to meet Thursday, December 15th, 1864 at 10 o'clock a.m.

G. Detwiler
Chairman Pro Tem

W. L. Brown
Clerk Pro Tem

SECOND DAY

House of Representatives
December 15th, 1864

House met pursuant to adjournment.

House called to order by the Chair. The following members present: Bell, Buck, Courtright, Detwiler, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart and Smith.

Journal of previous meeting read and approved.

On motion of Mr. Mayhew, George W. Hill was elected Sergeant-at-Arms Pro Tem.

On motion of Mr. Johnson, Aaron Flaugh was elected Doorkeeper Pro Tem.

On motion of Mr. Mayhew, the House proceeded to elect permanent officers. George Detwiler was nominated by Mr. Courtright. A. E. Mayhew was nominated by Mr. McCormick as candidate for Speaker.

The following members voted for Mr. Detwiler: Buck, Faulds, Courtright, Johnson, Mayhew, Smith — 6. For Mr. Mayhew: Bell, McCormick, Detwiler, Huffaker, Ryan, Stuart — 6. No choice.

The members then proceeded to a second ballot. There appeared for Mr. Detwiler: Buck, Courtright, Faulds, Johnson, Mayhew, Smith, Stuart — 7. For Mr. Mayhew: Bell, McCormick, Detwiler, Huffaker, Ryan — 5. Mr. Detwiler having received a majority of the votes, was declared duly elected Speaker.

W. L. Brown was nominated by Mr. McCormick for Chief Clerk and Thomas J. Hosford was nominated by Mr. Johnson. There appeared for Mr. Brown: Messrs. Bell, Buck, Courtright, Huffaker, Mayhew, McCormick, Ryan and Detwiler — 8. For Mr. Hosford: Faulds, Johnson, Stuart and Smith — 4.

William L. Brown having received a majority of the votes was declared duly elected.

George G. Stevens was nominated by Mr. Smith for Assistant Clerk and J. J. Blake was nominated by Mr. Bell (for the same office). There appeared for George G. Stevens: Messrs. Buck, Courtright, Detwiler, Faulds, Johnson and Smith — 6. For Mr. Blake, Messrs. Bell, Huffaker, Mayhew, McCormick, Ryan and Stuart — 6. No choice.

Second ballot. For George G. Stevens: Bell, Buck, Courtright, Detwiler, Faulds, Johnson, Stuart and Smith — 8. For Mr. Blake: Huffaker, Mayhew, McCormick, Ryan — 4 (and whereupon) George G. Stevens was declared elected.

W. J. Richardson was nominated by Mr. McCormick for Enrolling Clerk and Mr. Miller was nominated by Mr. Johnson (for the same office) and on ballot, there appeared for Mr. Richardson: Messrs. Bell, Buck, Courtright, Huffaker, Mayhew, McCormick, Ryan, Stuart, Detwiler — 9. For Mr. Miller: Faulds, Johnson and Smith — 3 (and whereupon) Mr. Richardson was declared elected.

Mr. Judd was put in nomination by Mr. Smith and Mr. Blake by Mr.

Bell as candidates for Engrossing Clerk (and on ballot). There appeared for Mr. Blake: Bell, Buck, Courtright, Huffaker, Mayhew, McCormick, Ryan, Stuart and Detwiler — 9. For Mr. Judd: Faulds, Johnson and Smith — 3 (and whereupon) Mr. Blake was declared elected.

On motion of Mr. Courtright, George W. Hill was declared elected Sergeant-at-Arms unanimously.

Mr. Flaugh was put in nomination by Mr. Johnson and Mr. Martin by Mr. Mayhew as candidates for Door Keeper (and on ballot). There appeared for Mr. Flaugh: Bell, Buck, Courtright, Detwiler, Faulds, Huffaker, Johnson, McCormick, Stuart and Smith — 10. For Mr. Martin: Mayhew and Ryan — 2 (and whereupon) Mr. Flaugh was declared elected.

On motion of Mr. McCormick a committee of two was appointed to invite Judge Williston to swear in the officers elect. Judge Williston appeared after being waited on by the committee and administered the oath prescribed by law.

Mr. Mayhew offered the following resolution. Resolved: That a committee of three be appointed by the Speaker to inform the Secretary of the Territory that we have no stationery with which to proceed to business. Passed and the following named members appointed said committee: Mayhew, Bell and Courtright.

Mr. Mayhew also offered the following resolution. Resolved: That the Clerk be instructed to inform the Council that the House of Representatives has organized by electing George Detwiler Speaker and is now ready to receive any communication that body may have to make. Passed.

Mr. Smith offered the following resolution which was adopted. Resolved: That a committee of three be appointed to inform the Council that we shall be ready to meet them in joint convention tomorrow at 10 o'clock a.m. to hear the Governor's message.

Mr. McCormick offered the following resolution which was adopted. Resolved: That a committee of three be appointed by the Speaker to inform His Excellency, the Governor, that the House is now organized and ready to receive any communication or message he may have to deliver.

Mr. Smith offered the following resolution which was adopted. Resolved: That a committee of five be appointed by the Chair to draft rules and regulations for the government of the House. The Speaker appointed Messrs. Smith, McCormick, Johnson, Stuart and Buck said committee.

On motion of Mr. Mayhew the House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met pursuant to adjournment. Speaker in the Chair.

Roll called. Members all present.

On motion of Mr. Mayhew the Clerk was instructed to inform the Secretary of the Territory that more chairs were needed in this House.

Mr. Mayhew then offered the following resolution. Resolved: That the privileges of this House be extended to the Governor and Judges of this Territory and also members of the Bar and Clergymen. Adopted.

Resolved: That the Enrolling Clerk of this House have the right to employ not to exceed three Assistant Enrolling Clerks. Adopted.

The following resolution was received from Council. Resolved: That the Secretary inform the House of Representatives that the Council has convened, formed a quorum and elected R. Lawrence — President, G. A. Haynes — Secretary, Frank H. Angevine — Assistant Secretary, Robert Hereford — Engrossing Clerk, J. C. Ryan — Enrolling Clerk, H. G. Otis — Sergeant-at-Arms, Harris Gilman — Door Keeper, Sylvester Chamberlain — Fireman and Wright P. Edgerton — Page, and are now ready to proceed to business.

It was moved by Mr. Mayhew that John H. Rogers be admitted to his seat.

Yeas: Bell, Huffaker, Mayhew, McCormick, Ryan and Detwiler — 6.

Nays: Buck, Courtright, Faulds, Johnson, Stuart, Smith — 6.

On motion of Mr. McCormick, Mr. Rogers was admitted within the Bar. Mr. Rogers being called upon declined taking the prescribed oath and on motion of Mr. Mayhew was admitted to his seat upon taking the following oath:

Territory of Montana]

ss

County of Beaverhead]

I, John H. Rogers, do solemnly swear that I will support, protect and defend the Constitution and Government of the United States and the Organic Act of the Territory of Montana against all enemies whether domestic or foreign and that I will bear true faith, allegiance and loyalty to the same, any ordinance, resolution or law of any State Convention or Legislature notwithstanding, and further that I do this with a full determination, pledge and purpose without any mental reservation or evasion whatsoever, and further, that I will well and faithfully perform all the duties which may be required of me as a member of the House of Representatives of the Territory of Montana. So help me God.

J. H. Rogers

Sworn to and subscribed
to before me this 15th
day of December A.D., 1864

George Detwiler
Speaker of the
House of Representatives

By the following vote:

Yeas: Bell, Buck, Courtright, Detwiler, Huffaker, Mayhew, McCormick, Ryan and Stuart — 9.

Nays: Faulds, Johnson and Smith — 3.

Moved by Mr. McCormick that a committee of three be appointed on credentials and that they report immediately. Whereupon the following members were appointed said committee: McCormick, Buck and Stuart.

On motion of Mr. Mayhew, George E. Watson was elected Page.

The following resolution was presented to the House by Mr. Potter of the Council. Resolved: That a committee of three be appointed to notify the House that the Council will be ready to meet them in joint convention at 10 o'clock a.m. December 16th A.D., 1864 to hear any communication His Excellency, Governor Edgerton, may have to make to this Legislative Assembly.

The Committee on Credentials appointed by the Speaker report that the following named persons are entitled to seats as members of the Lower House of the First Legislative Assembly of Montana Territory: Francis Bell, I. N. Buck, M. Courtright, George Detwiler, William Faulds, E. B. Johnson, William Huffaker, A. E. Mayhew, W. J. McCormick, John H. Rogers, Patrick Ryan, James Stuart and A. J. Smith.

On motion of Mr. Buck, the House adjourned to meet tomorrow in Joint Session at 10 o'clock a.m.

THIRD DAY

House of Representatives
December 16th, 1864

House met agreeable to adjournment.

Mr. Speaker in the Chair. Present: Messrs. Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick and Stuart.

Minutes of last meeting read and approved.

On motion of Mr. Smith a committee of two was appointed, consisting of Messrs. Smith and Stuart to inform the Council that the House were now ready to receive them. The Council being announced, the Joint Session commenced.

Mr. Bagg of the Council moved that the Sergeant-at-Arms inform the Clerk of the Council to be present with the roll of members of his House. Carried.

Roll of both Houses called. Absent: Mr. Thompson of the Council.

Mr. Smith of the House moved that a committee of four members, two from each House, be appointed to inform the Governor that the Houses were in Joint Session ready to receive any communication he might be pleased to make. Carried. Whereupon Messrs. Potter and Worden of the Council and Messrs. Smith and Johnson of the House were appointed said committee.

Mr. Smith from the committee to wait on the Governor made the following report: That they had discharged their duty and that the Governor sends the following communication: "When the Houses are organized according to law and members have taken the oath prescribed by Congress, then I have communications to make, and not before." On motion of Mr. Bagg of the Council, the report of the committee was received and the committee discharged.

Mr. Mayhew offered the following resolution. Resolved: That the legislators proceed to perform their duties as members of the Legislature of the Territory of Montana. Adopted.

Mr. McCormick offered the following resolution. Resolved: That the President of the Joint Convention of the Legislative Assembly of the Territory of Montana appoint a joint committee, two from the Council and three from the House to prepare an address to the people of the Territory stating the difficulties that surround them in the performance of the important trusts that have been committed to their charge by the law abiding citizens of this Territory, and that said committee memorialize the General Government upon the same subject. Resolution adopted and the following committee named: Messrs. McCormick, Mayhew and Detwiler of the House. Messrs. Bagg and Potter of the Council.

On motion of Mr. Buck the Joint Session adjourned.

Mr. Mayhew moved that a committee of three be appointed to confer with a committee of the Council to make rules and regulations for both Houses. Adopted. Messrs. Mayhew, Stuart and Bell were appointed said committee.

On motion of Mr. Buck the House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met. Speaker in the Chair. All the members present.

Mr. Smith from the Committee to Draft Rules and Regulations for the Government of the House made the following report and recommended its adoption.

Rules of the House of Representatives

- No. 1 The Speaker shall take the Chair at the time to which the House stands adjourned and the House shall then be called to order, and the roll of members called, and the names of the absentees shall be entered upon the Journal of the House.
- No. 2 Upon the appearance of a quorum the Journal of the preceding day shall be read by the Clerk and any mistakes therein may be corrected by the House.
- No. 3 The Speaker shall preserve order and decorum and shall decide questions of order subject to an appeal to the House.
- No. 4 The Speaker shall vote on all questions taken by Yeas and Nays (except on appeals from his own decision) and in all elections or divisions called for by any member.
- No. 5 When the House adjourns, the members shall keep their seats, until the adjournment is announced by the Speaker.
- No. 6 Every member previous to his speaking shall rise from his seat and respectfully address himself to the Speaker.
- No. 7 When two or more members rise at once, the Speaker shall designate the member who is first to speak; but in all cases the member who shall first rise and address the Chair shall speak first.
- No. 8 No member shall speak more than twice on the same subject without leave of the House, nor more than once until every member choosing to speak on the question pending shall have spoken.
- No. 9 No motion shall be debated, or put unless the same be seconded. It shall be stated by the Speaker before debate, and any such motion shall be reduced to writing, if the Speaker or any member desires it.
- No. 10 After a motion shall be stated by the Speaker it shall be deemed to be in possession of the House, but may be withdrawn at any time before amendment or decision, but all motions, resolutions and amendments shall be entered on the Journal whether they are rejected or adopted.
- No. 11 When a question is under debate, no motion shall be received, but to adjourn, to lay on the table, for the previous question, to postpone indefinitely, to postpone to a certain day to commit or to amend; which several motions shall have precedence in the order in which they stand arranged, and a call of the House may be had upon the demand of two members.
- No. 12 A motion to adjourn shall always be in order, except when a member is addressing the Chair or a vote is being taken; that and the motion to lay on the table shall be decided without debate.
- No. 13 The previous question shall be in this form: Shall the main question be now put? It shall only be admitted when demanded by a majority of the members present, and its effect shall be to put an end to all

debate and bring the House to a direct vote upon the amendment reported by a committee, if any; upon pending amendments, and then upon the main question, on a motion for a previous question, and prior to the seconding of the same, a call of the House shall be in order; but after a majority shall have seconded such motion, no call shall be in order prior to a decision of the main question.

- No. 14 When the previous question is decided in the negative, it shall leave the main question under debate for the residue of the sitting unless sooner disposed of by taking the question or in some other manner.
- No. 15 All incidental questions of order arising after a motion is made for the previous question, during the pending of such motion, or after the House shall have determined that the main question shall be now put, shall be decided, whether on appeal or otherwise without debate.
- No. 16 Petitions, memorials, and other papers addressed to the House, shall be presented by the Speaker or by a member in his place.
- No. 17 Every member who shall be present before the vote is declared from the Chair, and no other, shall vote for or against the same, unless the House shall excuse him or unless he is immediately interested in the question, in which case he shall not vote.
- No. 18 When the Speaker is putting the question, no member shall walk out or across the House; nor when a member is speaking shall any person entertain any private discussion or pass between him and the Chair.
- No. 19 If the question in debate contains several points, any member may have the same divided.
- No. 20 A member called to order shall immediately sit down, unless permitted to explain, and the House, if appealed to, shall decide the case. If there be no appeal the decision of the Chair shall be submitted to. On an appeal, no member shall speak more than once without leave of the House, except when a member is called to order for offensive language, in which case there shall be no debate.
- No. 21 Every bill shall be introduced by a motion for leave, or by an order of the House on a report of a committee; and one day's notice at least shall be given of a motion for leave to bring in a bill unless two-thirds of the members present shall vote in favor of its being brought in without such previous notice. Every notice of a motion for leave to bring in a bill (and every motion for leave to bring in a bill) shall be made in writing, and shall contain the title of the bill.
- No. 22 Every bill, before being introduced, shall have endorsed thereon the title of the same and every bill, or resolution, shall have thereon the name of the member introducing it; and when ordered by a committee, the name of such committee shall be endorsed thereon.
- No. 23 All bills, memorials or joint resolutions shall be read the first time for information and if opposition be made to it, the question shall be, "Shall the bill be rejected?" If no opposition be made, or if the motion to reject be lost, the bill shall go to its second reading without a question.
- No. 24 All bills, memorials or joint resolutions, on their second reading, shall be read by their title and the question taken upon their commitment, amendment or engrossment for a third reading.

No. 25 All bills, memorials or joint resolutions on their third reading shall be read at length and no amendment shall be in order except by unanimous consent of the House.

No. 26 All bills shall be read three times before their final passage, and may be read twice on the day of presentation unless otherwise ordered and no bill shall be passed unless it shall have been read once at length.

No. 27 No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment; no bill or resolution shall at any time be amended, by annexing thereto or incorporating therewith any other bill or resolution pending before the House.

No. 28 In forming Committee of the Whole House, the Speaker shall appoint a chairman to preside.

No. 29 Bills committed to the Committee of the Whole House shall, in Committee of the Whole thereon, be first read through unless the committee shall otherwise order, and then read and debated by sections, leaving the title to be last considered; all amendments shall be noted in writing and reported to the House by the Chairman.

No. 30 All questions whether in committee or in the House shall be put in the order they are moved, except in the cases of privileged questions and in filling up blanks, the largest sum and the longest time shall be first put.

No. 31 A similar mode of proceeding shall be observed with bills, which have originated in and passed the Council, as with bills originating in the House, except that they shall not be printed.

No. 32 No motion for reconsideration shall be in order unless on the same day, or on the day following that on which the decision proposed to be reconsidered took place, nor unless one of the majority shall move such reconsideration.

No. 33 When notice of the intention to move the reconsideration of any bill or joint resolution shall be given by a member, the Clerk of the House shall retain the said bill or joint resolution until after the time during which the said motion can be made, unless the same can previously be disposed of.

No. 34 Any member who votes on that side of a question which prevailed may be at liberty to move a reconsideration; and a motion for reconsideration shall be decided by a majority of votes.

No. 35 In all cases when the House is equally divided the question shall be lost.

No. 36 The rules of the House shall be observed in Committee of the Whole House, so far as may be applicable except that the yeas and nays shall not be called, the previous question enforced, nor the time of speaking limited.

No. 37 A motion that the committee rise shall always be in order and shall be decided without debate.

No. 38 Standing committees, consisting of three members each, shall be appointed on the following subjects:

1. Ways and Means
2. Judiciary
3. Internal Improvements

4. Public Lands
5. Federal Relations
6. Education
7. Towns and Counties
8. Military Affairs
9. Incorporations
10. Agriculture and Manufactures
11. Elections
12. Indian Affairs
13. Mines and Minerals
14. Engrossment and Enrollment
15. Enrollment

No. 39 The Committee on Engrossment shall examine all bills, after they are engrossed, and report the same to the House correctly engrossed, before their third reading; said committee may report at anytime.

No. 40 The Committee on Enrollment shall examine all House bills, and joint resolutions, which have passed the two Houses, and when reported correctly enrolled, they shall be presented to the presiding officers of the House and Council for their signatures, and when so signed, to the Governor for his approval; said committee may report at any time.

No. 41 Select committees, to whom references shall be made, shall in all cases report a state of facts and their opinion thereon to the House.

No. 42 In all cases where a bill, order, resolution or motion shall be entered upon the Journal of the House, the name of the member moving the same shall be entered upon the Journal.

No. 43 No persons shall be admitted within the Bar of the House but the Executive, members of the Council, Territorial Treasurer and Auditor, Judges of the Supreme Court, District Courts, members of Congress and those who have been members of Congress, or the Legislative Council and such other persons as the House shall deem proper to admit.

No. 44 The Speaker shall cause the Clerk of the House to make a list of all bills, resolutions, reports of committees and other proceedings of the House which are committed to a Committee of the Whole House and which are not made the order of the day for any particular day, and to number the same which list shall be called "The general orders of the day" and they shall be taken up in the order in which they are numbered, unless otherwise ordered by a majority of the House, and the Clerk shall also keep a book showing the situation and progress of bills.

No. 45 On the meeting of the House after the reading of the Journal of the preceding day, the order of business for the day shall be as follows:

- 1st Presentations of Petitions
- 2nd Reports of Standing Committees
- 3rd Reports of Select Committees
- 4th Notices
- 5th Introduction of Bills
- 6th Motions and Resolutions
- 7th Consideration of Messages from the Council

8th First Reading of Council Bills,
Resolutions and Memorials

9th Third Reading of the same

10th Third Reading of House Bills

11th Consideration of the General Orders

12th Unfinished Business

No. 46 Whenever the report of any Committee of Conference contains several modifications or amendments, any member may have the same divided, and the question of concurrence taken separately upon each modification or amendment.

No. 47 When the House have arrived at the general orders of the day, they shall go into Committee of the Whole upon such orders, or a particular order designated by a vote of the House, and no other business shall be in order until the whole are considered or passed, or the committee rise; and unless a particular bill is ordered up, the Committee of the Whole shall consider, act upon, or pass the general orders according to the order of their reference.

No. 48 The Speaker may leave the Chair and appoint a member to preside but not for a longer time than one day except by leave of the House.

No. 49 The rules of parliamentary practice embraced in Jefferson's Manual shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and orders of the House, and the joint rules and orders of the Council and House of Representatives.

No. 50 No rule of the House shall be suspended, altered, or amended, without the concurrence of two-thirds of the members present.

No. 51 The hour of daily meeting of the House shall be ten o'clock in the morning until the House direct otherwise.

No. 52 The ayes and noes shall not be ordered unless demanded by two members, except upon the final passage of bills, joint resolutions and resolutions making an appropriation of money, in which cases the ayes and noes shall be had without any demand.

No. 53 All House bills of general nature shall after their second reading be printed without special order from the House.

No. 54 All orders, joint resolutions and memorials to Congress after they have passed both Houses shall be carefully enrolled, signed by the Speaker of the House and President of the Council, and forthwith transmitted by the Chief Clerk of the respective House in which they originated, to President of the Senate and Speaker of the House of Representatives, and also a copy to our delegate to Congress.

On motion of Mr. Courtright, the report of the committee was received and the committee discharged.

Mr. Courtright moved that the Rules for the government of the House reported by the committee be adopted. Carried.

Moved by Mr. Smith that the Enrolling Clerk make fourteen copies of the rules. Passed.

The following communication was received from Mr. Rogers:

Bannack City M. T.
December 16th, 1864

To the Speaker of the House of Representatives of Montana Territory

Sir:

I hereby tender my resignation as a member of the Legislature of Montana Territory.

Yours truly,
J. H. Rogers

Resignation accepted.

Mr. McCormick offered the following resolution. Resolved: By the House of Representatives of Montana Territory that the privilege of the Bar of the House be extended to the Hon. John H. Rogers during the present session. Adopted.

Mr. Mayhew offered the following resolutions:

Resolved: That the members of the House of Representatives of the Territory of Montana hereby express their sincere regret in receiving the resignation of John Rogers, a member of this House from the County of Madison.

Resolved: That in receiving his resignation we lose a high-minded, honorable gentleman of our body, and that the County of Madison loses a good and faithful member of the House of Representatives.

On motion the House adjourned to tomorrow at 10 o'clock a.m.

FOURTH DAY

House of Representatives
December 17th, 1864

House met agreeable to adjournment. Speaker in the Chair.

Roll called. Absent: Mr. Mayhew.

Minutes of last meeting read and approved.

Mr. McCormick gave notice that he would introduce a bill on December 20th to repeal the revenue law of Idaho Territory.

Mr. Mayhew gave notice that on some future day he would introduce a bill in relation to executors and administrators.

Mr. McCormick gave notice that a bill would be introduced on Tuesday, December 20th, to grant a charter for a toll road from Virginia City to Summit City in Madison County, to J. H. Millard, W. C. Benton and John Atchinson and others.

Mr. Mayhew gave notice that on the 19th Inst. he would introduce a bill incorporating the Nevada City and Red Rock Wagon Road Company.

Mr. Faulds gave notice that with leave he would at some future day introduce a bill to regulate and facilitate the necessary work required to develop quartz lodes.

H. B. No. 1. On leave, Mr. Mayhew introduced "An act to incorporate the City of Virginia."

H. B. No. 2. On leave, Mr. Bell introduced "An act to incorporate the Jefferson Bridge Company."

The Speaker announced the following standing committees:

Ways and Means — Smith, Ryan and Johnson

Judiciary — McCormick, Mayhew and Buck

Internal Improvements — Courtright, Huffaker and Faulds

Public lands — Buck, Stuart and Huffaker

Federal Relations — Johnson, Faulds and Courtright

Education — Smith, Bell and Johnson

Towns and Counties — Mayhew, Smith and Bell

Military Affairs — Huffaker, Stuart and Ryan

Incorporations — Mayhew, Buck and McCormick

Agriculture and Manufactures — Faulds, Bell and Buck

Elections — Bell, Courtright and Mayhew

Indian Affairs — Stuart, Faulds and Johnson

Mines and Minerals — Courtright, McCormick and Smith

Engrossment and Enrollment — Ryan, Smith and Stuart

Enrollment — Ryan, Smith and Stuart

H. B. No. 1. An act to incorporate the City of Virginia, received its 1st and 2nd reading and referred to the Committee on Incorporations.

H. B. No. 2. An act to incorporate the Jefferson Bridge Company received its 1st and 2nd reading and was referred to Committee on Incorporations.

Mr. Huffaker moved that the Door Keeper employ someone to assist him in covering the floor with sawdust and fixing the door. Carried.

By permission Mr. Mayhew gave notice that he would at some future day introduce a bill in relation to the judicial districts of the Territory of Montana and assigning the judges thereof.

On leave Mr. Bell gave notice that he would at some future day introduce a bill providing for the holding of elections in Montana Territory and regulating the manner of the same.

By leave of the House Mr. Huffaker gave notice he would introduce a bill on Tuesday next incorporating the Rams Horn Ditch Company.

On leave of the House Mr. McCormick gave notice of the following bills he would introduce at an early day: "A bill to regulate suits by attachment"; and "A bill relating to implied contracts made upon the basis of gold dust, or gold and silver bullion."

On motion of Mr. McCormick the House adjourned to Monday at 10 o'clock a.m.

FIFTH DAY

House of Representatives
December 19th, 1864

House met as per adjournment. Speaker in the Chair.

Roll called. Absent: Smith and Mayhew.

Minutes of last meeting read and approved.

Mr. Mayhew presented a petition for a road called the "Nevada and Red Rock Wagon Road."

Mr. Courtright gave notice that he would at some future day, introduce a bill to create the office of Inspector of Weights and Measures.

Mr. McCormick gave notice that he would on Tuesday, the 20th Inst., introduce a bill to incorporate the Hell Gate and Deer Lodge Wagon Road Company.

Mr. Buck gave notice he would at some future day introduce a bill to legalize the books of the different District Recorders of Montana Territory.

H. B. No. 3. Mr. Mayhew introduced an act to establish a toll road from Nevada to Sage Creek.

H. B. No. 4. Mr. Mayhew introduced an act to establish a water company in Virginia City.

H. B. No. 5. Mr. Bell introduced an act to incorporate the Montana and Idaho Wagon Road Company.

H. B. No. 6. Mr. Huffaker introduced an act to incorporate the Rams Horn Ditch Company.

H. B. No. 7. Mr. McCormick introduced an act to incorporate the Nevada City and Red Rock Wagon Road Company.

H. B. No. 8. Mr. Mayhew introduced an act granting to Franklin Ruff, James Huster, Antoine Premeau, the right to have and maintain a ferry or bridge across the Jefferson River on the road from Virginia City to Fort Benton and Prickley Pear.

H. B. No. 3 received its 1st and 2nd reading and was referred to Committee on Incorporations.

House Bills Nos. 4, 5, 6, 7 and 8 received their 1st and 2nd reading and were referred to Committee on Incorporations.

Mr. McCormick gave notice that he would at an early day introduce a bill to grant to Charles E. Parks the right to construct a wagon road from the head of Pleasant Valley to the mouth of Dry Creek and to collect toll thereon.

Mr. Mayhew gave notice that he would at some future day introduce a bill to incorporate the Rams Horn Road Company.

A message was received from the Council giving notice of the passage of Council Bill No. 1, "An act to designate the style of the enacting clause of the Legislative Acts of the Territory of Montana."

On motion of Mr. McCormick, it was taken up and read the first and

second time, and upon the suspension of the rules read the third time, and being put on its final passage, was passed unanimously.

Mr. Mayhew offered the following resolution. Resolved: By the House of Representatives, the Council concurring, that in order to facilitate the Districting of the Territory judicially and for representation that a committee of two, one from the Council and one from the House, be appointed to employ some competent person to draft a map of the Territory at as early a day as possible. Carried and Mr. Mayhew appointed on the part of the House.

Mr. Mayhew presented a petition of Franklin Ruff and others. Referred to Committee on Incorporation.

On leave Mr. Mayhew gave notice that on some future day he would introduce the following bills:

"To regulate fees of the Officers of the Territory of Montana."

"To incorporate the town of Montana in Beaver Head County."

On motion of Mr. Mayhew the petition for a road called the Nevada and Red Rock Wagon Road was referred to Committee on Incorporations.

Mr. McCormick offered the following resolution. Resolved: That a committee of two be appointed by the Speaker to inform the Secretary of the Territory that no committee rooms have been furnished for the use of the members of the House and that said committee request that said rooms be furnished immediately. Adopted and Messrs. McCormick and Smith appointed on said committee.

Mr. Smith moved that a committee of two be appointed to inform the Council that we will be ready to meet them in joint session at 2 o'clock p.m. to hear the Governor's message. Passed and Messrs. Smith and Courtright appointed said committee.

The following message was received from the Council:

Mr. Speaker:

We have been appointed by the Council to inform your honorable body that the Council will be ready to meet the House at two o'clock this p.m. to hear any communication the Governor may have to make.

Frank L. Worden
N. Merriman
E. D. Leavitt

On motion of Mr. McCormick the House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met at 2 o'clock. Speaker in the Chair.

Roll called. Absent: Messrs. Mayhew and Stuart.

The members of the Council and House being in joint session, the President of the Council took the Chair.

Roll of both Houses called. Members all present.

Moved by Mr. Smith that the Chief Clerk of the House act as Clerk of the joint session. Carried.

On motion of Mr. McCormick a committee of two was appointed, one from each House, to wait on the Governor and inform him that the Houses

were in joint session ready to receive any communication he might have to make. Mr. McCormick of the House and Mr. Thompson of the Council were appointed said committee.

The committee appointed to wait on the Governor returned with the following report:

The committee appointed to wait on the Governor to inform him that the two Houses are convened in joint session to receive any communication he may have to make, have to report that we have performed the duty assigned to us and that his Excellency will forthwith communicate with the convention and that we have the honor of presenting the Governor to the convention.

McCormick
Thompson

The Governor took the stand and delivered the message in person.

By order of the President the message was placed on file.

Governor's Message to the Legislative Assembly
of the Territory of Montana

To the Honorable Council and the House of Representatives of the Legislative Assembly of Montana Territory:

Gentlemen:

You have met here, the representatives of the people in the first Legislative Assembly of the Territory of Montana. To your hands is committed the honorable but responsible duty of enacting such laws as may conduce to the happiness and prosperity of the people. To enact the first laws — to set in motion the machinery of government for a young but rapidly growing Territory, is a task of no ordinary import, and the limited time assigned for your labours, by the act of organization will require of you the most patient industry and unswerving devotion to business. I have no doubt you have assembled with the energy and resolute purpose commensurate with the high and responsible duties you have assumed. And it becomes my duty as well as my greatest pleasure, to cooperate with you in every measure for the advancement of the interest of the Territory.

In the prosecution of our labour, we should find abundant encouragement, and incentive in the unparalleled growth and prosperity of our Territory. But a few years since the country now embraced in the Territory of Montana, was little better known than the interior of Africa, a few explorers had passed over it, a few hunters and trappers had found their way into its mountain fastnesses, but its vast resources were unknown, the rich deposits of precious metals lay concealed awaiting the all enduring energy, and patient research of the hardy miner. It is now only a little more than two years since gold was first discovered here and less than six months since our Territorial organization, and now we rival the oldest of our sister Territories in population and inferior to none in future promise. Within this short time large settlements have been made, society has been organized, and towns and cities have sprung up with a rapidity and growth that challenges credulity, and almost realizes the wildest dreams of romance, and when we take into consideration the distance we are from the settled portions of our Country, the large stretch of desert and mountain which intervenes, the growth of this Territory appears indeed marvelous and speaks well for the energy and enterprise of our people. The tide of emigration which has set in upon us with such force

during the past year, will increase in power and magnitude with each succeeding year. Thousands in the States are now looking to this Territory as the field for future enterprise and at no distant day our population will not only warrant but require our admission as one of the States of the American Union. In view of the immense emigration flocking to our Territory I would respectfully call your attention to the importance of construction of a road to the States more direct than any that has yet been opened. The usual route from the Missouri River both for immigration and freight is now by the way of Fort Laramie, South Pass and Lander Road, or by the still more circuitous one up the South Platt through Bridgers Pass and Great Salt Lake City. These routes impose upon every person seeking our Territory not only hundreds of miles of unnecessary travel but require the crossing and recrossing of the Rocky Mountains. I am sure that a more feasible route can be established to the North Western States, shortening the distance six or seven hundred miles and avoiding altogether the necessity of crossing the Rocky Mountains. I believe that Congress has already by an Act, approved June 30th, 1864 established a post road from Sioux City in the state of Iowa, via Yankton in the Territory of Dacotah, Niobrarah in Nebraska, thence to Gallatin in our Territory. This route is perhaps as direct and unexceptionable as any that could be selected, and would form a continuous, and nearly direct route from the North Western States to Walla Walla. Could this road be opened it would be of inestimable value to this Territory, forming as it would a great highway through the very heart of our Territory, connecting more nearly with the East and West, the Atlantic and the Pacific states. I would therefore recommend that you memorialize Congress upon this subject asking for an appropriation sufficient to open the road at an early period, and I trust that our Delegate, will at the earliest possible moment, urge upon Congress the importance of this measure which so vitally affects our prosperity.

The mining interests of the Territory will claim your early and earnest consideration. The new discoveries of Gold and Silver establish beyond a reasonable doubt that this is to be not only one of the richest but one of the most permanent mining countries in the Continent. These facts now so well demonstrated, will invite capital and labour, and these valleys will soon resound with the clash of machinery taking from our mountains the untold wealth which for ages has awaited the hand of industry.

I would call your special attention to an act passed by the Legislative Assembly of the Territory of Idaho, and approved February 4th, 1864 entitled "An act relating to the discovery of Gold and Silver Quartz Leads, and of the manner of their location." It appears to me that this law is inadequate to the wants of our people, and some of its provisions are unjust and oppressive. The 5th Section of this act reads as follows, "Quartz claims recorded in accordance with the provisions of Section 4 of this act shall entitle the person so recording to hold the same to the use of himself, his heirs and assigns, provided: That within six months from and after the date of recording he shall perform, or cause to be performed thereon, work amounting in value to the sum of one hundred dollars."

The provisions in this section appear to me to be peculiarly unwise. It bears with great severity upon that hardy and persevering class of men who have endured so much of privation and labour in bringing to light the resources of the country. Whatever obstacle in the way of legislation is thrown into the path of the prospector, will retard our progress and development. When capital and machinery have found their way into this Territory sufficient to work these mines, then it will be for the interest of persons holding claims to open them, and it will require no legislation to quicken the promptings of self interest. But until that time the expenditure proposed would be simply a waste of time and money.

I would further suggest whether it would not be advisable to reduce a Quartz claim from two hundred to one hundred feet in length and also, whether the number of claims on a lode should not be limited each way from the discovery. Intimately connected with this subject is another in which the people of this Territory feel a deep and sensitive interest. I allude to the schemes introduced into Congress for the disposal and taxation of mineral lands, while I am confident that the general government would intentionally do nothing to our detriment, yet through a misconception of our true situation and the peculiar nature of mining interests it might inflict upon us an irreparable injury. We should be willing as we are to do our part in support of the Government under which we live but we should raise our protest against such measures which strike a direct blow at our prosperity. The life of the miner is one of privation and hardship and mining is proverbially precarious. The claim which appears today inexhaustible may tomorrow be worthless. The miner should like every other man pay upon what he is worth, and taxation should rest not upon the unknown and possible, but upon the known and actual. Government should find its support in the wealth that is and not in the wealth that may be. I hope we have heard the last of such measures, and that Government will adhere to the long established policy. The government of the United States has too deep an interest in these mining districts to legislate rashly. From them is to be drawn the wealth that is to sustain its credit and redeem its promises and every miner who lifts the pick or shovel is an ally of Government and every pound of gold taken out adds to its stability and power.

That mad proposition made in the last Session of Congress to have Government seize the mines and turn off the miners was a blow aimed alike at us and the government of which we are a part, and had its origin in the rancor of disloyalty. If mining is to be taxed (which I think it should not be) the least oppressive and least offensive method would be to tax the gold at the mint where ultimately most of the gold will find its way. I would suggest the propriety of your memorializing Congress upon this subject.

The past year has been one of peace and prosperity to the people of this Territory. The numerous Indian tribes within our borders have manifested a friendly disposition, and few acts of violence or lawlessness have been perpetrated. It is for the best interest of this Territory that these amicable relations should be cultivated and continued. While I shall endeavor to punish, with promptness and severity, any Indian aggression upon our settlements, I shall at the same time hold to a strict accountability any who may trespass upon the rights of the Indians. In this way only can peace be maintained. You will determine whether any additional legislation is necessary for the punishment of lawless and unprincipled men who engage in unlawful traffic with the Indians.

I trust that the Government will at an early day take steps for the extinguishment of the Indian title in this Territory in order that our lands may be brought into market.

The agricultural interests of this Territory will claim your earnest consideration. Most of the necessities of life have heretofore been brought from the States or Salt Lake Valley, hundreds of miles over mountainous roads. This has rendered prices almost fabulous, taking from the miner much of his hard earnings. Our population is increasing with such rapidity that we cannot longer depend upon foreign supplies. We must look to ourselves and as soon as possible become a self-sustaining people. While mining as now will ever constitute the paramount interest yet agriculture

must form the enduring basis of our prosperity. Without it we are but tributaries to and dependences upon surrounding but far distant settlements. Our necessities will constitute the measure of their demands and we shall remain the victims of a heartless cupidity, and this too while we can boast of as fertile lands, of as rich valleys as any country on the continent. Wheat, and indeed all the cereals can be raised here in abundance, as the past year has fully demonstrated, and every vegetable that can be raised in the states, grows here yet more abundantly. Stock, which in other countries require so much labour and forethought to provide for its winter subsistence, here lives and fattens through the winter in our valleys. I know of no country so inviting to the husbandman as this, where labour meets with such sure and munificent reward. To your fostering care and encouragement, I commit this great interest.

It will devolve upon you to devise some system of education to meet the immediate wants of our people. The Government with a wise forethought has made liberal provision for this purpose in the Organic Act setting apart two sections of land in each township for the establishment of a school fund. With proper care these lands will furnish a rich endowment for our common schools, placing them upon a sure and permanent basis. But these lands are not now available and it may be years before we can realize any considerable advantages from them. Hundreds of children are now in the Territory which a wise legislature will not permit to grow up in ignorance. For in a free government like ours, where public measures are submitted to the judgment of the people, it is of the first importance that that people should be so educated as to understand the bearing of public measures. A self-ruling people must be an educated people or prejudice and passion will assume the power, and anarchy will soon usurp the authority of Government.

Children are in one sense the property of the public and it is one of the highest and most solemn duties of a State to furnish ample provision for their education. It has been well said by a distinguished jurist, that it is cheaper to educate the boy than to punish the man, and if the education of the boy is neglected, the punishment of the man may become a necessity, for crime and ignorance go hand in hand.

The mail facilities are altogether inadequate to meet the wants of our extended and growing population. A mail route should be established from Virginia City to Gallatin, another from Virginia City to Fort Benton via Prickley Pear Valley, and one from Bannack City to Jocko with Post Offices at Willow Creek, Fort Owen, Hell Gate and Jocko. I would recommend that you memorialize the Post Master General and ask for this additional mail service.

The question of taxation will become of no small difficulty and will require much of your time. Taxation should be as light as the necessities of the public will permit. A sufficient amount of money, however, must be raised by taxation to meet the internal and municipal wants of the Territory. Political economists have said that no tax law can be absolutely just and equal, yet wise legislation should aim at justice and equality so that no class or occupation shall bear an undue proportion of the public burden.

The subject of currency is beginning to agitate the minds of our people and many are of the opinion that interest and patriotism alike require our adoption of the national currency. Wherever it has been adopted, whether in State or Territory, the increasing prosperity of the people has attested the wisdom of the measure. The loyal States that have adopted this currency notwithstanding the burdens of a gigantic and protracted

war are prosperous beyond all former precedent, and the people are richer than when the war commenced. Gold dust with us is an article of trade and when we attempt to make it a currency we close the door against the introduction of foreign capital. California alone among the loyal States has refused the adoption of the national currency. The effect upon her has been most disastrous. The Governor of that state in alluding to this subject makes use of the following language, "Here in California the enterprise that would develop our unbounded resources is checked and repressed for want of capital. While the necessary amount to supply the deficiency is waiting at our doors to have its entrance invited and its standard of value adopted." If such has been the effect of this policy upon a comparatively old state like California, what must be its consequences in an infant Territory like ours. Let us adopt this currency and capital will find its way here in abundance to quicken enterprise and enlarge the field of industry.

It may be necessary during this session to make some provision for the confinement of criminals. If no suitable building can be obtained, one should be erected as soon as possible. I have no doubt Congress will make a liberal appropriation for that purpose. Although we are far removed from the scene of strife, which is devastating one portion of our country, we cannot be indifferent to the result of the struggle. We are a part of the great American Nation and a part of that Nation we must ever remain, her interest, her prosperity, and glory must ever be dear to the heart of every loyal man. This unhallowed rebellion had its origin in the lust for power and the insane desire to extend and perpetuate human bondage. For years this conspiracy had been plotting till at length, under the imbecile administration of James Buchanan, it threw off all disguise and assumed the defiant attitude of treason. Beginning in crime and perfidy, it has sought to establish its power by atrocities, the most inhuman and appalling. Ignoring the long established rules of civilized warfare it has prosecuted the war with a fiendish ferocity that would put to blush the most uncultivated savages. When this war commenced many in the loyal States, from long political association with the leaders of the rebellion, felt no little sympathy with their cause and in most of the European Governments, they had active and influential advocates. But as the war has progressed their friends have deserted them, and they no longer hope for assistance from the Northern States or recognition from abroad. The issue is fully made up between loyalty and treason. The opposing armies are in the field to decide the question by the wager of battle, and between them, there is no middle ground. The people of the United States have decided with singular unanimity in their recent elections for the prosecution of this war which was inaugurated, till every portion of the Country acknowledges the supremacy of the Constitution. It gives me pleasure to congratulate you on the prospects of a speedy peace. The power of the rebellion is already broken. Our victorious armies now occupy the very heart of the rebellious States and thunder at the gates of their Capital. As true and loyal citizens of the United States, we may well rejoice at the triumph of our National arms and look with reasonable assurance for the restoration of peace, but it must be a peace that assures the integrity of our Country, the vindication of our National honor, and the recognition of man's inalienable rights.

And again assuring you of my desire to cooperate with you in every measure of public interest and invoking the benediction of Heaven upon our labours I submit to your care and consideration the manifold interests of our Territory.

Sidney Edgerton
Governor

The Joint Committee appointed to draft rules and regulations for the government of both Houses when in joint session, made the following report:

Joint Rules of Council and House

- No. 1 In every case of disagreement between the two Houses, if either House request a conference and appoint a committee to confer therewith upon the subject of their disagreement, they shall meet at a convenient time to be agreed upon by their chairman and having conferred freely, each shall report to their respective House the results of their conference.
- No. 2 When a message shall be sent from either House to the other, it shall be announced at the door of the House to which it is sent by the Door Keeper, thereof, and shall be respectfully communicated to the Chair by the person by whom it is sent.
- No. 3 All messages between the Houses shall be communicated by the Secretary, or Chief Clerk or their respective assistants.
- No. 4 When a bill shall have passed both Houses, it shall be duly enrolled by the Enrolling Clerk of the House in which it originated, and the fact of its origin shall be certified by the endorsement of the Secretary or Clerk thereof.
- No. 5 When bills are enrolled they shall be examined by a joint committee of two from the Council and two from the House of Representatives who shall be a standing committee for that purpose and who shall carefully compare the enrollment with the engrossed bills, as passed in the Houses, correct any errors therein, and make report thereof forthwith to their respective Houses.
- No. 6 After said report each bill shall be signed first by the Speaker of the House of Representatives, and then by the President of the Council in the presence of their respective House.
- No. 7 After the bill shall have thus been signed in each House, it shall be presented by said committee to the Governor for his approval and they shall forthwith report the day of presentation, which shall be entered upon the Journal of the House in which the bill originated.
- No. 8 All orders, joint resolutions and memorials to Congress, after they shall have passed both Houses, shall be carefully enrolled, signed by the Speaker of the House and President of the Council and forthwith presented to the Governor for his signature. After receiving his approval they shall be transmitted by the Chief Clerk of the House in which they originated to the President of the Senate and Speaker of the House of Representatives, and also a copy to our delegate in Congress.
- No. 9 When any bill, joint resolution or memorial which shall have passed in one House, is rejected in the other, notice of said rejection shall be given to the House which has passed the same.
- No. 10 When a bill, resolution or memorial which shall have passed one House is rejected in the other it shall not be again introduced during the Session without five days notice, and leave of two-thirds of the members voting thereon.
- No. 11 Each House shall transmit to the other with any bill, resolution or memorial all papers upon which the same shall be founded.
- No. 12 When each House shall have adhered to their disagreement, a bill or resolution is lost.

No. 13 When any bill or resolution, which has passed one House, is ordered to be printed by the other, a greater number of copies shall not be printed than is necessary for the use of the House making the order. When any other bill or resolution shall be ordered printed by either House, a sufficient number of copies, shall be printed for the use of both Houses.

No. 14 It shall be the duty of the Chief Clerk of the House of Representatives and the Secretary of the Council when any document, except bills and resolutions, is ordered to be printed in their respective Houses, forthwith to communicate such order to the other House.

No. 15 In all elections in joint convention of the two Houses the names of the members shall all be arranged in alphabetical order, and they shall be called upon to vote in the order in which they stand arranged.

Moved by Mr. Bagg that the Engrossing Clerks of each House draw copies of the joint rules. Adopted.

On motion of Mr. Smith the joint convention adjourned Sine die.

Mr. Mayhew gave notice that he would at some future day introduce the following bills: "To incorporate the Junction and Black Tail Deer Creek Wagon Road Company" and the "Bitter Root and Kootney Wagon Road and Ferry Company."

Mr. Smith moved that 500 copies of the Governor's Message be printed for the use of the House. Adopted.

Moved by Mr. Smith: "We go into Committee of the Whole on the Governor's Message on next Saturday."

On motion of Mr. Smith the rules were suspended for the purpose of appointing a Standing Committee on Printing, whereupon a Committee on Printing was added to the Standing Committees of the House, and the Chair appointed as said Committee: Messrs. Smith, Courtright and Bell.

On motion of Mr. Smith the Committee on Printing were instructed by the House to procure whatever printing they deemed necessary for the use of the clerks or members thereof.

Mr. McCormick moved to adjourn to tomorrow morning at 10 o'clock.

SIXTH DAY

House of Representatives
December 20th, 1864

House met pursuant to adjournment.

Roll called. Absent: Messrs. Bell, Faulds and Mayhew.

Minutes of last meeting read and approved.

Mr. Stuart gave notice he would at some future day introduce a bill to incorporate the Town of Oroopalis.

Mr. Buck gave notice that he would on Thursday next introduce a bill to create a County out of part of Jefferson; also, that on some future day he would introduce a bill for a toll road through Prickley Pear Canon.

H. Bill 9. Mr. McCormick introduced House Bill No. 9 entitled "An act to repeal an act entitled: 'An act to provide a uniform system of Territorial and County Revenue and for the assessing and collecting the same'" which received its first and second reading and on suspension of the Rules was read a third time. Passed the House and referred to the Committee on Engrossment.

H. Bill 10. Mr. McCormick introduced House Bill No. 10 "To incorporate the Hell Gate and Deer Lodge Wagon Road Company." Read the 1st and 2nd times and referred to the Committee on Incorporations.

H. Bill 11. Mr. Faulds introduced House Bill No. 11 "To regulate and facilitate the work necessary to develop quartz lodes." Read the 1st and 2nd times and on motion of Mr. Courtright it was laid on the table.

H. Bill 12. Mr. Mayhew introduced House Bill No. 12 "To incorporate the Junction and Black Tail and Deer Creek Wagon Road Company." Read 1st and 2nd times and referred to Committee on Incorporations.

Mr. Mayhew offered the following resolution. Resolved: By the House of Representatives and Council concurring, the Governor of the Territory be requested to furnish to both Houses of the Legislature a full report of all the votes polled as soon as possible at each different precinct in the Territory of Montana, at the last general election, called by the Governor for the election of Members of the Legislature and Delegate to Congress on the 24th day of August A.D. 1864. Adopted.

H. Bill 13. Mr. Mayhew introduced House Bill No. 13. "An act to incorporate the Bitter Root and Kootney Wagon Road and Ferry Company." Read the 1st and 2nd times and referred to Committee on Incorporations.

Mr. McCormick moved that we now proceed to the election of a Fireman. Mr. Courtright named Mr. Johnson. Mr. McCormick named Mr. Sullivan.

Those voting for Mr. Johnson were: Courtright, Faulds, Huffaker, Johnson, Stuart and Speaker — 6.

Those voting for Mr. Sullivan: Bell, Buck, Mayhew, McCormick, Ryan and Smith — 6.

No choice.

On calling the roll a second time those voting for Mr. Johnson were: Courtright, Faulds, Huffaker, Johnson, Stuart, Speaker and Smith — 7.

For Mr. Sullivan: Bell, Buck, Mayhew, McCormick and Ryan — 5.

Mr. Johnson was declared duly elected Fireman.

Mr. McCormick offered the following resolution. Resolved: That the Sergeant-at-Arms of the House be authorized to procure six copies of the Bound Statutes of Idaho Territory for the use of the members of this House. Resolution adopted.

C. Bill No. 4. Council Bill No. 4 being presented to the House received its 1st and 2nd reading, when Mr. McCormick offered the following amendment. That the word "twenty" be inserted after the word "of" and before the word "five" in Line 10, Section 1st. On suspension of the Rules, the bill as amended was read a 3rd time and passed unanimously.

Mr. Johnson offered the following resolution. Resolved: That the Sergeant-at-Arms be instructed to procure a bucket and cup and lights for the use of the House. Adopted.

H. Bill 9. The Chairman of Committee on Engrossment reported House Bill No. 9 as engrossed and the committee having recommended its passage. On suspension of the Rules, it was read a third time and being put on its final passage, passed unanimously.

On motion of Mr. Ryan the House adjourned to meet at 2 o'clock p.m.

AFTERNOON SESSION

House met. Speaker in the Chair.

Roll called. Absent: Mr. Stuart.

On leave Mr. Mayhew gave notice he would at some future day introduce a bill "Regulating Deeds of Trust in the Territory."

On leave Mr. Bell gave notice he would at some future day introduce a bill in relation to stray stock.

Mr. McCormick offered the following resolution. Resolved by the House, the Council concurring, that each House proceed forthwith or as early as practical to the election of a committee of four, two from each House, to act in conjunction and to report to their respective Houses a civil and criminal code for the Government of Montana Territory, that said committee be known and designated as the Joint Code Committee. Resolution adopted and Messrs. McCormick and Mayhew appointed said committee on the part of the House.

H. Bill 9. The Council returned House Bill No. 9 as passed without amendment, and it was referred to the Committee on Enrollment.

On motion of Mr. Courtright, the House adjourned to tomorrow morning at 10 o'clock.

SEVENTH DAY

House of Representatives
December 21st, 1864

House met agreeable to adjournment. Speaker in the Chair.

Roll called. Absent: Mr. Ryan.

Minutes of the last meeting read and approved.

Mr. Mayhew gave notice that on the 22nd Inst. he would introduce a bill concerning attorneys and counsellors at law in this Territory.

Mr. Buck gave notice that on tomorrow he would introduce a bill for a charter for a toll bridge across the Jefferson River at the point known as the Gillet Company.

Mr. Johnson gave notice that on tomorrow he would introduce an act to construct a toll road from near Bannack City to Bald Mountain.

Mr. McCormick gave notice that he would on some future day introduce a bill for Miller and others to establish a toll wagon road from Bannack City to Fort Owens.

Mr. Bell gave notice that he would at an early day introduce a bill for a wagon road from Bozeman Town to Virginia City in Madison County.

Mr. Smith gave notice that he will at an early day introduce a bill for a Territorial Road from the City of Bannack to the south boundary of Montana Territory to intersect with the Salt Lake Road.

H. Bill 14. Mr. McCormick introduced House Bill No. 14, "An act to regulate the measure of damages in actions on express or implied contracts, for the delivery of gold dust or gold or silver bullion." Read 1st and 2nd times and referred to the Committee on Judiciary.

H. Bill 15. Mr. Buck introduced House Bill No. 15, "An act to legalize the books of the District Recorders." Read 1st and 2nd times and referred to Committee on Judiciary.

H. Bill 16. Mr. Huffaker introduced House Bill No. 16, "An act fixing the time of meeting of the Legislative Assembly of the Territory of Montana." Read 1st and 2nd times and referred to the Committee on Judiciary.

On leave Mr. Mayhew from a Select Committee made the following report: Report of special committee appointed under joint resolutions to employ a suitable person to draft a map for the use of the Legislative Assembly of Montana beg leave to report that he, in conjunction with the Council Committee, appointed under joint resolution authorizing the same have employed Capt. Wm. DeLacy who is to finish and furnish a map of the Territory of Montana within fifteen days from 22nd Inst. for the sum of six hundred dollars which map is to be further perfected after the districting of the Territory by the Legislative Assembly and to be placed in the office of the Secretary of the Territory.

A. E. Mayhew

On motion of Mr. Buck the report was adopted and the committee discharged.

H. Bill 9. The Council having returned House Bill No. 9 concurred in, it was referred to the Committee on Enrollment.

H. Bill 9. The Committee on Enrollment reported back House Bill No. 9 correctly enrolled.

On leave Mr. Stuart gave notice he would on some future day introduce a bill defining and locating the boundaries of Deer Lodge County and locating the county seat.

H. Bill 17. On leave Mr. Mayhew introduced House Bill No. 17, "An act entitled 'An act fixing the age of majority.'" Read 1st and 2nd times and referred to the Committee on Judiciary.

H. Bill 18. On leave Mr. McCormick introduced House Bill No. 18, "An act to regulate proceedings in civil cases in the Courts of Justice of the Territory of Montana." Read 1st and 2nd times and referred to Committee on Judiciary.

On motion of Mr. McCormick the House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met. Speaker in the Chair.

Roll called. Absent: Messrs. Bell, Ryan and Smith.

Mr. Mayhew moved that the Sergeant-at-Arms be instructed to procure for the Engrossing and Enrolling Clerks a table and desk for the keeping of bills and resolutions. Carried.

House Joint Resolution to appoint a committee of two from each House to report to their respective Houses a Civil and Criminal Code, was returned from the Council with this amendment: After the word "Committee," "and have power to employ such clerk or clerks as they may require." Concurred in.

H. Bill 19. Mr. Mayhew introduced House Bill No. 19, "An act to prohibit marriages and cohabitations of Whites with Indians, Chinese and persons of African descent." Read 1st and 2nd times and referred to the Judiciary Committee.

H. Bill 20. Mr. Mayhew introduced House Bill No. 20, "An act to authorize Zedekiah A. Stone and his associates to construct and keep a toll bridge across the Beaver Head." Read 1st and 2nd times and referred to the Committee on Incorporations.

H. Bill 21. On leave of the House, Mr. Huffaker introduced House Bill No. 21, "An act for the protection of wild game." Read 1st and 2nd times and referred to Committee on Judiciary.

Mr. Mayhew introduced a joint resolution as follows. Resolved: By the House of Representatives, the Council concurring, that a committee of two from the House of Representatives and one from the Council be appointed to request the Governor of the Territory to furnish to both Houses of the Legislature a full report of all the votes as soon as possible, polled at each different precinct in the Territory of Montana at the last general election called by the Governor for the election of members of the Legislature and Delegate to Congress on the 24th day of October A.D. 1864. Resolution adopted, and Messrs. Mayhew and McCormick appointed said committee.

On motion of Mr. Stuart the House adjourned to tomorrow at 10 o'clock.

EIGHTH DAY

House of Representatives
December 22nd, 1864

House met agreeable to adjournment. Speaker in the Chair.

Roll called. Absent: Messrs. Bell and Johnson.

Minutes of last meeting read and approved.

Mr. Mayhew presented a memorial of John Hubbard and other citizens of Madison County. Read and referred to Committee on Incorporations.

H. Bill 9. House Bill No. 9, "An act entitled an act to provide a uniform system of Territorial and County Revenue and for the assessing and collecting of the same." The committee beg leave to report that they have presented the bill to the Governor for his approval.

Ryan
Smith
Stuart

Bannack City
December 21st, 1864

The Committee on Incorporations to whom was referred House Bill No. 1 to incorporate the City of Virginia, beg leave to report the bill back to the House with the recommendation that the bill pass with such amendments as the House may adopt.

Mayhew
Buck
McCormick

On motion of Mr. Mayhew the Committee on Incorporations were instructed to make their report on House Bills Nos. 5 and 7 on the 4th day of January next and that they be made the Special Order for that day. Adopted.

Mr. Stuart gave notice he would on some future day introduce a bill incorporating the Missouri and Rocky Mountain Wagon Road and Telegraph Company.

Mr. Buck gave notice that he would at some future day introduce a bill to prohibit the sale of ardent spirits or fire arms to Indians.

H. Bill 22. Mr. Mayhew presented House Bill No. 22, "An act securing liens to mechanics and others." Read 1st and 2nd times and on suspension of Rules was read the 3rd time and passed.

Yeas: Buck, Courtright, Faulds, Johnson, Mayhew, McCormick, Ryan, Stuart and Smith — 10.

Nays: None.

There being no objection to the title, it was agreed upon.

H. Bill 23. Mr. Buck introduced House Bill No. 23, "An act to incorporate the Prickley Pear Wagon Road Company." Read 1st and 2nd times and referred to the Committee on Incorporations.

H. Bill 24. Mr. McCormick introduced House Bill No. 24, "An act to

incorporate the Fort Owen and Bannack City Wagon Road Company." Read 1st and 2nd times and referred to Committee on Incorporations.

H. Bill 25. Mr. Johnson introduced House Bill No. 25, "An act authorizing A. Sullivan and H. D. Weid to construct and maintain a toll road in Beaver Head County." Read 1st and 2nd times and referred to Committee on Incorporations.

The following message was received from the Council:

Message from the Council by their Secretary, Geo. A. Haynes.

Mr. Speaker:

I am directed by the Council to inform the House that they have passed Council Bill No. 8, "An act to regulate the sale of horses, mules, asses, jennies and cattle at auction in Montana Territory."

Also Council Bill No. 9, "An act to provide for the expenses of Montana Territory."

Also the following Resolution:

Resolved by the Legislative Council of the Territory of Montana, the House concurring: That a committee of one from the Council and one from the House of Representatives be appointed and instructed to call upon His Excellency Governor Edgerton and request of him an abstract of all the votes cast at a general election had and held on the 24th day of October A.D. 1864, and that said abstract may set forth the number of votes polled in all organized and unorganized districts or precincts as nearly as possible.

Resolution concurred in by the House and Mr. Mayhew appointed said committee.

Council Bill No. 8 read first and second times and put in its final passage, by suspension of the Rules read third time and passed.

Yeas: Buck, Courtright, Faulds, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith and Mr. Speaker — 10.

Nays: None.

There being no objection to the title, it was agreed to.

Council Bill No. 9 read the first and second times and referred to Committee of Ways and Means.

On motion of Mr. Mayhew the House agreed to go into Committee of the Whole at 2 o'clock p.m. on House Bill No. 1.

On motion of Mr. Mayhew, the House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met agreeable to adjournment. Speaker in the Chair.

Roll called. Absent: Bell, Huffaker and Stuart.

The House went into Committee of the Whole on House Bill No. 1.

Mr. Smith in the Chair.

The Committee of the Whole arose and made the following report:

Mr. Speaker: The Committee of the Whole has had under consideration House Bill No. 1 entitled "An act to incorporate the City of Virginia",

and instructed me to report the same back and recommend its passage with the following amendments: Article 1, Section 2 strike out the word "quarter" and insert the word "corner". Also to amend Article 5, Section 8 to insert the following amendment after the word "Bucket": Provided that nothing in said Section shall be so construed as to deprive private individuals of vested or acquired rights without just compensation being made therefor by the city government. Also to strike out all of Section 18, Article 8.

A. J. Smith,
Chairman

On motion of Mr. Buck the report of the Committee of the Whole was adopted.

On motion of Mr. Smith House Bill No. 1 was ordered engrossed.

The following message was received from the Council.

I am instructed by the Council to inform your Honorable Body that the following Council Bill No. 5 has passed: "An act to create a lien in favor of ranchmen and others."

George A. Haynes
Secretary of the Council

On motion of Mr. Smith the House adjourned.

NINTH DAY

House of Representatives
December 23rd, 1864

House met agreeable to adjournment. Speaker in the Chair.

Roll called. Absent: Smith and Huffaker.

Minutes of last meeting read and approved.

The Committee on Judiciary to whom was referred House Bill No. 15 reported the bill back to the House and recommend it pass with the following amendment: In Line third, Section 1st, insert after the word "District" "in said Territory."

McCormick
Mayhew
Buck

The Committee on Judiciary to whom was referred House Bill No. 14 beg leave to report the bill back to the House and recommend that it pass with the following amendments: In Line five of Section first insert between the words "the" and "value" the word "market."

McCormick
Mayhew
Buck

The Committee on Judiciary reported favorably on the following bills without amendments: House Bill No. 16, House Bill No. 17.

Report of Committee on Ways and Means:

Mr. Speaker: Your Committee on Ways and Means to whom was referred C. B. No. 9 have had the same under consideration and beg leave to report the same back without amendment and recommend its passage.

Smith
Ryan
Johnson

H. Bill 26. Previous notice having been given, Mr. McCormick introduced House Bill No. 26, "An act to incorporate the Pleasant Valley and Dry Creek Canon Wagon Road Company." Read 1st and 2nd times and referred to Committee on Incorporations.

H. Bill 27. Previous notice having been given, Mr. Stuart introduced House Bill No. 27, "An act to incorporate the Missouri River and Rock Mountain Wagon Road and Telegraph Company." Read 1st time at length and 2nd time by title and referred to Committee on Incorporations.

The following message was received from his Excellency, the Governor.

Executive Office
Bannack City
December 23rd, 1864

To the Honorable Speaker of the House of Representatives

Sir:

I have this day signed House Bill No. 9 Entitled "An act to provide a uniform system of Territorial and County Revenue and for the assessing and collecting the same."

Respectfully yours,

Sydney Edgerton
Governor

H. Bill 28. By consent of the House, Mr. Mayhew introduced House Bill No. 28, "An act in relation to marks instead of signatures." Read the 1st time at length and the 2nd time by title and on suspension of the Rules read the 3rd time and passed.

Yeas: Bell, Buck, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith and Mr. Speaker — 9.

Nays: Mr. Faulds — 1.

There being no objection to the title, it was agreed on.

H. Bill 29. Mr. Bell, having given previous notice, introduced House Bill No. 29, "An act to incorporate the Gallatin and Madison Road Company." Read the 1st and 2nd times by title and referred to Committee on Incorporations.

C. Bill 5. The House took up Council Bill No. 5, "An act to create a lien in favor of Ranchmen and others." Read at length the 1st time and 2nd time by title and referred to Committee on Judiciary.

Also Council Bill No. 9 was read the first time at length and second time by title and on suspension of the Rules, the third time was passed.

Yeas: Buck, Courtright, Faulds, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith and Mr. Speaker — 10.

Nays: None.

House Bill No. 14 having been read the third time at length with the amendment. The amendment was agreed to and the bill ordered engrossed.

House Bill No. 15 having received its third reading with the amendment, was ordered engrossed.

House Bill No. 16 having been read at length was passed.

Yeas: Buck, Courtright, Faulds, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith and Mr. Speaker — 11.

Nays: None.

There being no objection to the title it was agreed upon.

House Bill No. 17, having been read the third time at length, passed.

Yeas: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith and Mr. Speaker — 11.

Nays: None.

There being no objection the title was agreed upon.

We, a majority of the Committee on Judiciary, to whom was referred House Bill No. 19, beg leave to report the same and recommend its passage.

I. N. Buck
A. E. Mayhew

On suspension of the Rules, House Bill No. 19 was taken up, read the

third time at length and on motion of Mr. Stuart was recommitted to the Committee on Judiciary.

Mr. Bell offered the following resolution. Resolved: That Mr. McCormick have leave of absence from the House until Tuesday the 3rd of January, 1865. Adopted.

Mr. McCormick offered the following resolution. Resolved: That Patrick Ryan be granted leave of absence until Thursday the 29th Inst. Adopted.

On motion of Mr. Mayhew the House adjourned to two o'clock p.m.

AFTERNOON SESSION

House met agreeable to adjournment. Speaker in the Chair.

Roll called. Absent: Messrs. Huffaker, Johnson, Mayhew, McCormick and Ryan.

Mr. Stuart introduced a Memorial and Joint Resolution relative to a proposed treaty with the Snake Indians. Read the first and second times and referred to Committee on Indian Affairs.

On motion of Mr. McCormick, the further consideration of the Governor's message was postponed to the 2nd Tuesday of January next.

Mr. Ryan, Chairman of Committee on Engrossment reported back House Bills Nos. 14 and 15 correctly engrossed.

On motion of Mr. McCormick the House adjourned to tomorrow at 10 o'clock a.m.

TENTH DAY

House of Representatives
December 24th, 1864

House met agreeable to adjournment. Speaker in the Chair.

Roll called. Absent: Messrs. Faulds, McCormick, Ryan and Smith.

Minutes of last meeting read and approved.

The Committee on Indian Affairs return a Memorial and Joint Resolution relative to a treaty with the Snake Indians and recommend its adoption by the House.

Stuart
Johnson
Faulds

The Committee on Incorporations to whom was referred House Bill No. 6, beg leave to report the same back to the House and recommend its passage with the following amendment: Insert at the end of Section first the following words: "Provided that the said shall not have the right to take the water out of said Rams Horn Creek when the same shall be required in the said Rams Horn Creek for mining purposes."

The following message was announced from the Council:

Council Chamber
December 24th, 1864

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that Council Bill No. 13 "An act to legalize certain acts of the people of Montana Territory" has passed. Also Council Bill No. 22 "An act relating to the discovery of gold and silver quartz leads, lodes or ledges and of the manner of location."

Geo. A. Haynes
Sec. of Council

On motion of Mr. Mayhew, Council Bill No. 22 was taken up, read the first time at length and on second time by title and on motion of Mr. Mayhew the Rules were suspended and the bill read a third time and passed.

Yeas: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, Ryan, Stuart, Smith and Mr. Speaker — 11.

Nays: None.

There being no objection to the title, it was agreed upon.

Council Bill No. 13 having been read the first time at length and second time by title was referred to Committee on Judiciary.

The Committee on Engrossment report that they have examined House Bill No. 1 entitled, "An act to incorporate the City of Virginia" and find the same correctly engrossed.

P. Ryan,
Chairman

Having read House Bill No. 14 the third time, it passed.

Yeas: Bell, Buck, Faulds, Huffaker, Johnson, Ryan, Stuart, Smith and Mr. Speaker — 9.

Nays: None.

The title was agreed to.

The Memorial and Joint Resolution reported back by the Committee on Indian Affairs was read at length the third time and passed.

Yeas: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, Ryan, Stuart, Smith and Mr. Speaker — 11.

Nays: None.

There being no objection to the title it was agreed upon.

House Bill No. 1, having been read the third time, passed.

Yeas: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, Ryan, Stuart, Smith and Mr. Speaker — 11.

Nays: None.

There being no objection to the title it was agreed upon.

House Bill No. 6, having been read at length for information with the amendment, the amendment was agreed to and the bill ordered engrossed.

The Speaker announced the standing committee required by Article 5 Joint Rules. Messrs. Smith and Courtright were appointed on said committee.

H. Bill 30. Mr. Buck introduced House Bill No. 30, read the 1st time at length, the 2nd time by title and referred to Committee on Incorporations.

On motion of Mr. Mayhew, the House adjourned to 3 o'clock p.m.

AFTERNOON SESSION

House met agreeable to adjournment. Speaker in the Chair.

Roll called. Absent: Mr. McCormick.

Mr. Buck moved a reconsideration of the vote adopting the amendment to House Bill No. 6. Carried, and Mr. Mayhew offered the following amendment: "That at all times there shall be sufficient amount of water left in the said Rams Horn Creek to run one sluice head." After some discussion the amendment prevailed.

A report of the Committee appointed to request the official vote of Governor Edgerton polled at the last election was received, read at length and referred to Committee on Elections.

On motion of Mr. Mayhew, the House adjourned to Monday morn at 10 o'clock.

ELEVENTH DAY

House of Representatives
December 26th, 1864

House met agreeable to adjournment.

Roll called. Absent: Huffaker, McCormick and Ryan.

Minutes of last meeting read and approved.

The following message was received from the Council:

Mr. Speaker: I am directed by the Council to inform your Honorable Body that they have passed the following bills of the Council:

C. Bill No. 17 "An act concerning lost goods and estrays."

C. Bill No. 18 "An act to prevent the counterfeiting of gold dust."

Also that they have passed House Bill No. 17 "An act fixing the age of majority."

Geo. A. Haynes
Sec. of Council

Mr. Mayhew, Chairman of the Committee on Judiciary, reported back Council Bill No. 13 with the following amendment: After the word decision, in the second Line, Section first, the following words, "To Wit, except cases of divorce."

E. A. Mayhew
I. N. Buck

H. Bill 31. Mr. Mayhew introduced House Bill No. 31, "An act to authorize James Foster to construct a bridge across the Gallatin River." Read the 1st time at length and 2nd time by title, and on suspension of the Rules, read a 3rd time and passed.

Yeas: Bell, Buck, Courtright, Faulds, Mayhew, Stuart, Smith and Mr. Speaker — 8.

Nays: None.

There being no objection to the title, it was agreed upon.

The Committee on Engrossment report that they have examined H. Bill No. 6 and find the same correctly engrossed.

Smith
Stuart

House Bill No. 17 was referred to the Committee on Enrollment.

Council Bill No. 18, having been read the first time at length and the second time by title was, on suspension of the Rules, read the third time and passed.

Yeas: Bell, Buck, Courtright, Faulds, Mayhew, Smith, Stuart and Mr. Speaker — 8.

Nays: None.

There being no objection to the title it was agreed upon.

Council Bill No. 13, having been read the third time at length, with the amendment reported by the Judiciary Committee, the amendment was agreed to and being put on its final passage, passed.

Yeas: Bell, Buck, Faulds, Mayhew and Mr. Speaker — 5.

Nays: Courtright, Johnson, Stuart and Smith — 4.

There being no objection to the title of the bill, it was agreed upon.

House Bill No. 6, being under consideration, it was read the third time, and being put on its final passage, passed.

Yeas: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, Stuart, Smith and Mr. Speaker — 9.

Nays: None.

There being no objection to the title, it was agreed to.

The Committee on Incorporations, to whom was referred House Bill No. 27, beg leave to report the same back to the House, striking out all of said bill except the enacting clause and inserting thereafter the annexed bill and recommend its passage.

A. E. Mayhew
I. N. Buck

The bill, having been read the third time at length with the amendments, was put on its final passage and passed.

Yeas: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, Stuart, Smith and Mr. Speaker — 9.

Nays: None.

There being no objection to the title, it was agreed upon.

The Engrossing Committee, to whom was referred House Bill No. 15, reported the same properly engrossed. The bill was then read the third time and passed.

Yeas: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, Stuart, Smith and Mr. Speaker — 9.

Nays: None.

There being no objection to the title, it was agreed to.

The Committee on Judiciary, to whom was referred Council Bill No. 5, beg leave to report the same back to the House and recommend its passage.

A. E. Mayhew
I. N. Buck

The bill, having been read the third time at length, passed.

Yeas: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, Stuart, Smith and Mr. Speaker — 9.

Nays: None.

There being no objection to the title, it was agreed to.

On motion of Mr. Buck, the House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met as per the adjournment. Speaker in the Chair.

Roll called. Absent: Huffaker, Johnson, McCormick, Ryan and Stuart.

The Committee on Enrollment have examined the following bills and report the same correctly enrolled: Council Bill No. 8, Council Bill No. 9, Council Bill No. 22 and House Bill No. 17.

Smith
Courtright

The Committee on Incorporations, to whom was referred House Bill No. 2, beg leave to report the same back to the House and recommend its passage.

A. E. Mayhew,
Chairman

House Bill No. 2, having been read the third time at length, was passed.

Yeas: Bell, Buck, Courtright, Faulds, Mayhew, Stuart and Mr. Speaker — 7.

Nays: None.

There being no objection to the title of the bill, it was agreed upon.

House Bill No. 1 being called up, the amendments passed by the Council were concurred in and ordered enrolled.

The Joint Committee on Enrollment have presented the following bills to the Governor for his approval: Council Bills Nos. 8, 9 and 22 and House Bill No. 17. December 26th, 1864.

Smith
Courtright

On motion of Mr. Smith, the House proceeded to elect a Chaplain.

Joseph Carr was unanimously elected and Mr. Smith appointed to notify him of his election.

The following communication was received from the Council:

Council Chambers
December 26th, 1864

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that they have passed the following bills:

C. B. No. 23, An act in relation to Notaries Public.

C. B. No. 24, An act to prescribe the rate of interest in this Territory.

C. B. No. 26, An act concerning Bills of Exchange and promissory notes.

C. B. No. 28, An act to regulate proceedings in criminal cases in Courts of Justice in this Territory, also,

H. B. No. 14, An act to regulate the measure of damages in actions in express or implied contracts for the delivery of Gold Dust or Silver Bullion.

H. B. No. 22, An act securing liens to mechanics and others.

H. B. No. 28, An act in relation to marks instead of signatures.

H. B. No. 1, An act to incorporate the City of Virginia with the following amendments, Viz., In the — Line of Section 21 of Article 5, to amend after the words, "Gambling House" to insert "Dance House." Also in Line 8 of Article 8, strike out the word "two" and insert the word "one," and after the words "Ten dollars for" strike out the word "each" and insert the word "Said."

George A. Haynes
Sect. of Council

The Committee on Judiciary, to whom was referred House Bill No. 21, report the same back and recommend its passage.

A. E. Mayhew
I. N. Buck

The above bill, having been read the three times by the House, passed.

Yeas: Bell, Buck, Courtright, Faulds, Johnson, Stuart, Smith and Mr. Speaker — 8.

Nays: Mayhew — 1.

There being no objection, the title of this bill was agreed upon.

Council Bill No. 23, being under consideration, was read the first time at length and second time by title and, on suspension of the Rules, read the third time and passed.

Yeas: Bell, Buck, Faulds, Johnson, Mayhew, Stuart, Smith and Mr. Speaker — 8.

Nays: None.

No objection being made to the title, it was agreed upon.

The House took up Council Bill No. 24, read the first time at length and second time by title and was referred to Committee on Judiciary.

Council Bill No. 26, having been read the first time at length and second time by title, was referred to Committee on Judiciary.

On motion of Mr. Buck, the House adjourned to tomorrow morning at 10 o'clock.

TWELFTH DAY

House of Representatives
December 27th, 1864

House met agreeable to adjournment. Mr. Speaker in the Chair.

Roll called. Absent: Messrs. Huffaker, Stuart and Smith.

Minutes of last meeting read and approved.

The Committee on Incorporations to whom was referred House Bill No. 30, beg leave to report the same back to the House and recommend its passage.

A. E. Mayhew
I. N. Buck

The Committee on Judiciary to whom was referred Council Bills Nos. 24 and 26, beg leave to report the same back to the House and recommend their passage.

A. E. Mayhew
I. N. Buck

Mr. Smith gave notice he would on tomorrow or some future day introduce a bill to incorporate the Bannack Ditch and Mining Company.

On suspension of the Rules, Council Bills Nos. 27 and 28 were read by their title the first and second times and referred to the Committee on Judiciary.

The following message was received from the Council:

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that they have passed the following bills: C. B. No. 21, "An act concerning Chattel Mortgages." H. B. No. 27, "An act to incorporate the Missouri River and Rocky Mountain Wagon Road and Telegraph Co."

Geo. A. Haynes
Sect. of Council

Council Bill No. 21, having been read the first time at length and second time by title, was referred to Committee on Judiciary.

House Bill No. 27 was referred to Committee on Enrollment.

Council Bill No. 26, having been read the third time, passed.

Ayes: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, Stuart, Smith and Mr. Speaker — 9.

Nays: None.

There being no objection to the title, it was agreed to.

The House took up Council Bill No. 24, read the third time and passed.

Yeas: Bell, Courtright, Faulds, Johnson, Mayhew, Stuart, Smith and Mr. Speaker — 8.

Nays: None.

There being no objection to the title, it was agreed to.

House Bill No. 20, having been read the third time, was put on its final passage. Passed.

Yeas: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, Stuart, Smith and Mr. Speaker — 9.

Nays: None.

There being no objection to the title of the bill, it was agreed to.

Mr. Stuart gave notice he would at some future day introduce a bill incorporating the Town of Deer Lodge.

The following message was received from his Excellency, the Governor:

Executive Office
Bannack City
December 21st, 1864

To the Honorable Speaker of the House of Representatives:

Sir:

I have this day signed House Bill No. 17 entitled, "An act fixing the age of majority."

Sydney Edgerton
Governor

On motion of Mr. Courtright the House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met. Speaker in the Chair.

Roll called. Absent: Courtright and Huffaker.

The Joint Committee on Enrollment have examined House Bill No. 27 and find the same correctly enrolled.

On leave, Mr. Mayhew introduced House Bill No. 32, having been read at length the 1st time and the 2nd time by title, was passed.

Ayes: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, Stuart and Mr. Speaker — 8.

Nays: None.

No objection being made to the title, it was agreed to.

Mr. Smith from the Joint Committee on Enrollment gave notice that House Bill No. 27 was this day presented to the Governor for his signature.

On leave, Mr. Bell introduced House Bill No. 34, read the first time at length and second time by title and referred to Committee on Judiciary.

On leave, Mr. Mayhew introduced House Bill No. 35, read the first time at length and second time by title and, on suspension of the Rules, read the third time and passed.

Yeas: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, Stuart, Smith and Mr. Speaker — 9.

Nays: None.

There being no objection to the title, it was agreed to.

The following message was received from the Council:

Council Chamber
December 27th, 1864

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that they have refused to concur in the amendment by the House to C. B. No. 13.

Geo. A. Haynes
Sec. of Council

On motion of Mr. Mayhew, the House reconsidered the vote by which they passed Council Bill No. 13, and on motion of Mr. Smith, it was indefinitely postponed.

On leave, Mr. Bell introduced House Bill No. 33, read the first and second times. Mr. Smith offered the following amendment: To strike out Section 3 and insert the following, "A general election shall be held in the several election precincts in this Territory on the second Tuesday of October in each year at which shall be chosen all such officers as are by law to be elected in such year unless otherwise provided for."

The amendment was rejected by the following vote:

Ayes: Faulds, Johnson, Smith — 3.

Nays: Bell, Buck, Courtright, Mayhew and Mr. Speaker — 5.

On motion of Mr. Mayhew, the bill was referred to the Committee on Elections.

On motion of Mr. Courtright, the House adjourned.

THIRTEENTH DAY

House of Representatives
December 28th, 1864

House met. Speaker in the Chair. Prayer by the Chaplain.

Roll called. Absent: Messrs. Huffaker and Smith.

Minutes of yesterday's meeting read and approved.

The Committee on Judiciary to whom was referred Council Bill No. 21, beg leave to report the same back and recommend its passage.

A. E. Mayhew
I. N. Buck

The following message was received from the Council:

Council Chamber
December 28th, 1864

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that they have passed Council Bill No. 3, "An act declaratory of the rights of occupants of the Public Domain except as against the United States."

Geo. A. Haynes
Sect. of Council

Mr. Mayhew introduced House Bill No. 36, read first and second time and referred to Committee on Judiciary.

Council Bill No. 3, being under consideration, was read the first time at length and second time by title and referred to Committee on Public Lands.

Council Bill No. 21, having been read the third time, passed.

Yeas: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, Stuart, Smith and Mr. Speaker — 9.

Nays: None.

There being no objections to the title, it was agreed to.

The Joint Committee on Enrollment have examined the following bills and find the same correctly enrolled: H. Bill No. 14, H. Bill No. 28, C. Bill No. 5 and C. Bill No. 24.

Smith
Courtright

The Committee on Judiciary, to whom was referred House Bill No. 34, have had the same under consideration and beg leave to report the same back and recommend its passage.

A. E. Mayhew
I. N. Buck

House Bill No. 34, having been read the third time, passed.

Ayes: Bell, Buck, Faulds, Johnson, Mayhew, Stuart, Smith and Mr. Speaker — 8.

Nays: None.

No objection being made to the title, it was agreed to.

Mr. Mayhew gave notice that at some future day he would introduce a bill creating the office of District Attorney in each of the organized Counties or Judicial Districts of Montana Territory and to define their duties, privileges and powers, and fix their salaries, etc.

On motion of Mr. Johnson, the House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met agreeable to adjournment. Speaker in the Chair.

Roll called. Absent: Messrs. Huffaker and Courtright.

The following message was received from the Council:

Council Chamber
December 28th, 1864

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that they have passed the following bills:

H. B. No. 16, "An act fixing the time of meeting of the Legislative Assembly of the Territory of Montana," with the following amendment: to insert the word "November" in place of "December" in Section 1, Line 3.

Also, C. B. No. 19, "An act to incorporate the Beaver Head Mining Co."

C. B. No. 29, "An act to incorporate the Montana Gold and Silver Mining Co."

C. B. No. 32, "An act to dissolve the bonds of Matrimony between Leonard A. Gridley and Maranda E. Gridley."

Geo. A. Haynes
Sect. of Council

Council Bill No. 29, having been read the first time at length and second time by title, on suspension of the Rules, passed.

Yeas: Bell, Faulds, Johnson, Mayhew, Stuart, Smith and Mr. Speaker — 7.

Nays: None.

There being no objection to the title, it was agreed to.

Council Bill No. 32, having been read the first time at length and second time by title, was, on motion of Mr. Courtright, referred to a special committee of two. The Speaker appointed Messrs. Courtright and Johnson said committee.

Council Bill No. 19 was read the first time at length and second time by title and referred to Committee on Incorporations.

The Special Committee to whom was referred Council Bill No. 32 respectfully report same back to the House and recommend its passage.

Courtright
Johnson

On motion of Mr. Smith, the report was received and committee discharged, and on suspension of the Rules, read a third time and passed.

Ayes: Bell, Courtright, Faulds, Johnson, Mayhew, Smith and Mr. Speaker — 7.

Nays: Buck, Stuart — 2.

There being no objection to the title, it was agreed to.

The following message was received from the Governor:

Bannack City
December 27th, 1864

To the Honorable Speaker of the House of Representatives:

I have this day signed House Bill No. 27 entitled "An act to incorporate the Missouri River and Rocky Mountain Wagon Road and Telegraph Company."

Sidney Edgerton
Governor

On motion of Mr. Courtright, the House adjourned to tomorrow morn at 10 o'clock.

FOURTEENTH DAY

House of Representatives
December 29th, 1864

House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain.

Roll called. Absent: Messrs. Huffaker and Mayhew.

Minutes of last meeting read and approved.

The Joint Committee on Enrollment have examined H. B. No. 1 and find the same correctly enrolled.

Smith,
Chairman

The Committee on Public Lands to whom was referred Council Bill No. 3 report the same back to the House and recommend its passage without amendment.

Buck
Stuart

Mr. Johnson gave notice he would at some future day introduce a bill to regulate irrigation.

The following message was received from the Council:

Council Chamber
December 29th, 1864

Mr. Speaker:

I am instructed by the Council to inform your Honorable Body that they have passed the following bills:

C. Bill No. 15, "An act to incorporate the Historical Society of Montana."

C. Bill No. 33, "An act to prevent the trespassing of animals upon private property."

H. Bill No. 6, "An act incorporating the Rams Horn Ditch Company."

Geo. A. Haynes
Secretary of Council

H. Bill No. 37. Mr. Bell introduced House Bill No. 37, "An act authorizing Ross Beaumont and Robert Hill to establish and maintain a toll road from Bannack City to Beaver Head Valley." Read the first time at length and second time by title and referred to Committee on Incorporations.

H. Bill No. 38. Mr. Buck introduced House Bill No. 38, "An act to establish a County out of part of Jefferson and locate the County Seat thereof." Read the first and second times and referred to Committee on Towns and Counties.

H. Bill No. 39. Mr. Buck introduced House Bill No. 39, "An act to prohibit the sale of ardent spirits or fire arms to Indians." Read the first and second times and on suspension of the Rules, the third time and passed.

Yeas: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, McCormick, Stuart, Smith and Mr. Speaker — 10.

Nays: None.

No objection being made, the title was agreed to.

Council Bill No. 33, having been read the first and second times, was referred to Committee on Judiciary.

Council Bill No. 15, having been read the first time at length and second time by title, was, on motion of Mr. McCormick, referred to a Select Committee of 5. Messrs. McCormick, Courtright, Buck, Faulds and Johnson were appointed said Committee.

Council Bill No. 3, having been read the third time, passed.

Ayes: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, Stuart, Smith and Mr. Speaker — 9.

Nays: None.

Mr. McCormick was excused from voting.

There being no objection, the title was agreed to.

The following message was received from his Excellency, the Governor:

Executive Office
Bannack City
December 28th, 1864

To the House of Representatives

Mr. Speaker:

I have this day signed House Bill No. 28 entitled, "An Act relative to marks instead of signatures."

Respectfully yours,

Sidney Edgerton
Governor

House Bill No. 16, being under consideration, the amendment made by the Council was agreed to.

On motion of Mr. Bell the House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met agreeable to adjournment. Speaker in the Chair.

Roll called. Absent: Messrs. Huffaker and McCormick.

H. Bill No. 40. Mr. Mayhew introduced House Bill No. 40, "An act to prevent the sale of intoxicating liquors to soldiers." Read the first time at length and second time by title and, on suspension of the Rules, read the third time and passed.

Yeas: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, McCormick, Stuart, Smith and Mr. Speaker — 10.

Nays: None.

There being no objection to the title, it was agreed to.

H. Bill No. 41. Mr. Smith introduced House Bill No. 41, "An act regulating the width of roads." Read the first and second times and referred to Committee on Internal Improvements.

Mr. Smith from the Joint Committee on Enrollment reported H. B. No. 1 and H. B. No. 22 as having been presented to the Governor this day for his signature.

The Committee on Judiciary, to whom was referred House Bill No. 36, beg leave to report the same back to the House with the recommendation that the same pass without amendments.

McCormick
Mayhew
Buck

House Bill No. 36, having been read the third time, passed.

Yeas: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, McCormick, Stuart, Smith and Mr. Speaker — 10.

Nays: None.

There being no objection to the title, it was agreed to.

On motion of Mr. McCormick, the House adjourned.

FIFTEENTH DAY

House of Representatives
December 30th, 1864

House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain.

Roll called. Absent: Messrs. Huffaker and Smith.

Minutes of last meeting read and approved.

The special committee to whom was referred Council Bill No. 15 report the same back with their objections and recommend the bill to be laid on the table.

McCormick
Courtright, Johnson
Buck, Faulds

On motion of Mr. Courtright, the report of the committee was laid on the table.

Mr. Faulds gave notice he would on tomorrow introduce a bill to enable volunteers in the United States Service or members of the Militia of the Territory of Montana to hold mining and other claims; also, on some future day he would introduce a bill concerning fences.

H. Bill No. 42. Mr. Bell introduced House Bill No. 42, "An act to exempt the property of married women from execution in certain cases." Read the first and second times and referred to the Committee on Judiciary.

H. Bill No. 43. Mr. Johnson introduced House Bill No. 43, "An act to protect and regulate the irrigation of land." Read the first and second times and referred to Committee on Agriculture.

The following message was received from the Council:

Council Chamber
December 30th, 1864

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that they have passed:

C. B. No. 30, "An act to preserve the District Records in relation to Leads, Lodes and Ledges."

H. B. No. 20, "An act to authorize Zedekiah A. Stone and his associates to construct and keep a toll bridge across the Beaver Head."

Also the following notices were introduced:

Notice of Bill to incorporate the Jefferson Town Co.

To incorporate the Bannack and Mountain City Wagon Road Co.

And to provide for and regulate the rates of charges for the publication of Legal Documents.

Signed, Mr. Merriman

Notice of Bill to provide for the expenses of Montana Territory.

Geo. A. Haynes
Secretary of Council

The Committee on Internal Improvements has had under consideration H. B. 41 and recommend its passage.

Courtright
Faulds

House Bill No. 41, having been read the third time, passed.

Ayes: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, McCormick, Stuart, Smith and Mr. Speaker — 10.

Nays: None.

There being no objection to the title, it was agreed to.

The Committee on Judiciary, to whom was referred Council Bill No. 33, beg leave to report the same back and recommend its passage without amendment.

McCormick,
Chairman

The bill, having been read the third time, passed.

Yeas: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, McCormick, Stuart, Smith and Mr. Speaker — 10.

Nays: None.

There being no objection to the title, it was agreed to.

On motion of Mr. Stuart, the House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met agreeable to adjournment. Speaker in the Chair.

Roll called. Absent: Mr. Huffaker.

H. Bill No. 44. Mr. Mayhew introduced House Bill No. 44, "An act for the compensation of D. D. Chamberlain for services rendered and money expended." Read the first time at length and second time by title, and on suspension of the Rules, was read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, McCormick, Stuart, Smith and Mr. Speaker — 10.

Nays: None.

There being no objection, the title was agreed to.

H. Bill No. 45. Mr. Mayhew introduced House Bill No. 45, "An act to incorporate the Town of Montana." Read the first and second times and, on suspension of the Rules, the third time and passed.

Yeas: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, McCormick, Stuart and Mr. Speaker — 10.

Nays: None.

There being no objection to the title, it was agreed to.

The Committee on Enrollment have examined House Bills No. 6 and 16 and find them correctly enrolled.

Smith
Stuart

Mr. Mayhew, from the Committee on Incorporations, reported back House Bill No. 8. After much discussion it was read a third time and passed.

Yeas: Bell, Faulds, Johnson, Mayhew, McCormick, Stuart and Smith — 7.

Nays: Buck, Courtright and Mr. Speaker — 3.

There being no objection to the title, it was agreed to.

The Joint Committee on Enrollment report they have presented House Bill No. 6 and House Bill No. 16 to the Governor for his signature.

The Committee on Judiciary to whom was referred House Bill No. 46 report it back to the House and ask that it pass with the following amendments: At the end of Line 17 of Section 5 add the words "of said Territory."

McCormick
Mayhew
Buck

The bill with the amendment having been read for information, the amendment was adopted and having been read the third time, passed.

Yeas: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, McCormick and Mr. Speaker — 8.

Nays: Mr. Smith — 1.

There being no objection, the title was agreed to.

The Committee on Judiciary, to whom was referred House Bill No. 42, report the same back to the House and recommend its passage with the following amendments: In Line 11, Section 1 insert between the words "articles" and "for" the word "procured". In Line 12, strike out "the family" and insert the words "herself and children under the age of eighteen years."

McCormick
Mayhew
Buck

House Bill No. 42, having been read with the amendment for information, the amendment was agreed to and the bill ordered engrossed.

On motion of Mr. Courtright, the House adjourned.

SIXTEENTH DAY

House of Representatives
December 31st, 1864

House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain.

Roll called. Absent: Huffaker, Ryan and Stuart.

Minutes of last meeting read and approved.

Mr. Johnson gave notice that he would on tomorrow or some future day introduce a bill incorporating the Union Mill Company.

H. B. No. 46. Mr. Faulds introduced House Bill No. 46, "An act to enable soldiers to hold claims." Read the first time at length, second time by title and referred to Committee on Judiciary.

The Committee on Incorporations, to whom was referred House Bill No. 10, beg leave to make the following report: "Strike out all but the enacting clause of said bill and insert the following." (Sic)

A. E. Mayhew
W. J. McCormick
I. N. Buck

The bill with the amendment having been read at length, the amendment was agreed to. The bill was then further amended by striking out the word "twenty" in Line seven, Section eight and inserting the word "fifteen". On motion of Mr. Bell, the bill was recommitted to the Committee on Incorporations.

The Committee on Engrossment report that they have examined H. B. No. 20 and find the same correctly engrossed.

P. Ryan,
Chairman

The following message was received from the Council:

Council Chamber
December 31st, 1864

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that they have passed House Bill No. 32, "An act granting a charter to James Bridger and Robert Hereford for a ferry across the Yellow Stone River on Bridger Cutoff." Also, House Memorial No. 1, "For a proposed treaty with the Snake and Crow Indians." I am further instructed to say that the following notices for the introduction of bills were received:

Notice of Memorial asking Congress an additional appropriation to meet the expenses of this Territory.

Notice to incorporate the Rock Mountain Gold and Silver Mining Company.

Notice concerning the Writ of Habeas Corpus.

Geo. A. Haynes
Secretary of Council

The Joint Committee on Enrollment have examined House Bill No. 20, and find the same correct.

Smith,
Chairman

Mr. Smith gave notice of the presentation of H. B. No. 20 to the Governor for his signature.

The following message was received from his Excellency, the Governor:

Executive Office
Bannack City
December 31st, 1864

To the Honorable Speaker of the House of Representatives

Sir:

I have this day signed House Bill No. 6 entitled, "An act to incorporate the Rams Horn Ditch Company." Also

House Bill No. 14 entitled, "An act to regulate the measure of damages in action on express or implied contracts for the delivery of Gold or Silver bullion." Also

House Bill No. 16 entitled, "An act fixing the time of meeting of the Legislative Assembly of the Territory of Montana."

Respectfully yours,

Sidney Edgerton
Governor

The Committee on Mines and Minerals, to whom was referred Council Bill No. 30, have had the same under consideration and recommend the following amendment:

Courtright
McCormick

In Section 1st, Line 2 strike out the words "or an abstract thereof".

Section 2, Line 3 strike out the words "or an abstract thereof".

Section 2, Line 6 instead of "ninety" insert "thirty".

Section 2, Line 7 after the word "passage" insert the word "and".

Also strike out all of 8th Line.

Section 3, Line 6 after the word "Cents" insert "to be paid by the District Recorder."

Strike out all of Section 4 after the word "approval" and insert "by the Governor."

The bill having been read with the above amendments, the amendments were agreed to and the bill read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith and Mr. Speaker — 11.

Nays: None.

There being no objection, the title was agreed to.

The Committee on Incorporations to whom was referred House Bill No. 5, beg leave to refer the said Bill back to the House and recommend its passage.

A. E. Mayhew
W. J. McCormick
I. N. Buck

The bill, having been read the third time, passed.

Ayes: Bell, Buck, Courtright, Faulds, Mayhew, McCormick, Ryan and Mr. Speaker — 8.

Nays: Johnson, Stuart and Smith — 3.

There being no objection, the title was agreed to.

The Committee on Engrossment reported they had examined H. B. No. 42 and found the same correctly enrolled. (sic)

On motion of Mr. Courtright, the House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met agreeable to adjournment. Speaker in the Chair.

Roll called. Absent: Mr. Huffaker.

On motion of Mr. McCormick the House instructed the Sergeant-at-Arms to procure newspapers and postage stamps for the use of the members.

Mr. McCormick offered the following resolution. Resolved: That when the House adjourns, it adjourn until January 5, 1865 at 10 o'clock a.m. Passed. On motion of Mr. Bell the vote was reconsidered. Mr. Mayhew then moved to strike out the 5th and insert Wednesday, January 4th, 1865. Carried.

The Committee on Agriculture, to whom was referred House Bill No. 43, report the same back to the House and recommend its passage with the following amendment: In Section 7, Line 3 strike out the word "acknowledged" and to same Section, add "in case the damages shall exceed the Jurisdiction of the Justice of the Peace, the Commissioners shall report to the Probate Judge of the County who shall proceed in the same manner as required of the Justice of the Peace."

Faulds
Bell
Buck

The bill with the amendments having been read, the amendments were agreed to, and the bill ordered to be engrossed.

A majority of the Committee on Incorporations, to whom was referred House Bill No. 10, report the same back to the House with the recommendation it pass with the following amendments:

Section 10. Said Company shall make no less than two switches or passing places for wagons on the first grade on the road above the Big Black Foot River.

McCormick
Buck

Mr. Bell made a motion to strike out the word "fifteen" and insert the word "ten" in Line 7, Section 8. Lost.

Ayes: Bell, Courtright, Faulds, Mayhew and Ryan — 5.

Nays: Buck, Johnson, McCormick, Stuart, Smith and Mr. Speaker — 6.

Mr. Mayhew offered the following amendment to Section 12: "That the said Company shall keep the said road in good safe traveling condition

in all seasons of the year, and in case that any part of said road is impassable the said Company shall not collect toll at any of the gates of said road." Adopted. The bill was then ordered engrossed.

The Committee on Incorporations, to whom was referred House Bill No. 13, beg leave to report and recommend striking out all but the enacting clause and put the following instead: (sic)

Mayhew
McCormick
Buck

The bill with the amendment having been read at length, the amendment was agreed to and the bill read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Mayhew, McCormick, Ryan and Mr. Speaker — 8.

Nays: Johnson, Stuart and Smith — 3.

There being no objection to the title, it was agreed to.

The Committee on Enrollment, to whom was referred House Bill No. 32, report the same correctly enrolled.

P. Ryan,
Chairman

On motion of Mr. Courtright, the House adjourned to Wednesday morning next at 10 o'clock a.m.

SEVENTEENTH DAY

House of Representatives
January 4th, 1865

House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain.

Roll called. Absent: Huffaker, Ryan, Stuart.

Minutes of last meeting read and approved.

Mr. McCormick gave notice he would on tomorrow introduce a bill incorporating the Brandon Town Co.

Mr. Bell gave notice he would on tomorrow introduce a bill creating a lien in favor of ranchmen and others. Also, on some future day a bill concerning guardian and ward.

Mr. Buck gave notice he would on tomorrow introduce a bill incorporating the Jefferson Mining Co.

The following message was received from the Council:

Council Chamber
January 4th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that they have passed the following bills:

C. B. No. 10, An act granting to R. T. Harris and others the right to have and maintain a ferry or bridge across the waters of the Yellow Stone River on the Road from Bozeman City to Yellow Stone City on the cutoff.

C. B. No. 39, An act to provide for and regulate the rate of charges for the publication of legal documents.

H. B. No. 32, An act granting a charter to James Bridger and Robert Hereford for a ferry across the Yellow Stone River on Bridger Cutoff.

H. B. No. 34, An act providing punishment for certain offenses.

H. B. No. 40, An act to prevent the sale of intoxicating liquors to soldiers.

H. B. No. 41, An act regulating the width of roads.

H. B. No. 45, An act to incorporate the town of Montana.

H. B. No. 39, An act to prohibit the sale of ardent spirits or fire arms to Indians, with the following amendment: That Section 2 be stricken out and the words "Indians, as provided for by law of Congress, shall be competent witnesses in the trial of all causes embraced in the provisions of this act."

Geo. A. Haynes
Secretary of Council

Mr. Mayhew introduced House Bill No. 47. "An act respecting executors and administrators." Read the first and second times and referred to Joint Code Committee.

Mr. Smith introduced House Bill No. 48. "An act to organize the Militia of Montana Territory." Read the first time at length and second time by title and referred to Committee on Military Affairs.

Mr. Faulds introduced House Bill No. 49. "An act concerning fences." Read the first time at length and second time by title and referred to Committee on Agriculture and Manufacture.

Council Bill 39 read the first and second times and on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Johnson, McCormick, Smith and Mr. Speaker — 8.

Nays: None.

There being no objection to the title, it was agreed to.

Council Bill No. 10, read the first time at length and second time by title, was referred to Committee on Incorporations.

House Bill No. 39 having been read at length with amendment for information, the amendment was agreed to and the bill ordered engrossed.

On motion of Mr. Smith the House agreed to go into Committee of the Whole on the election law this afternoon. Carried.

On motion of Mr. Courtright, the House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met agreeable to adjournment. Speaker in the Chair.

Roll called. Absent: Huffaker and Stuart.

The House went into the Committee of the Whole.

Mr. Buck in the Chair.

On House Bill No. 23, after consideration of the bill, the Committee arose and the Chairman reported: That the Committee recommend the bill be referred back to the Committee on Elections for further amendments. Report adopted, and the bill was referred to Committee on Elections.

The Committee on Engrossment reported back: H. B. No. 18, H. B. No. 39 and H. B. No. 43 as correctly engrossed.

P. Ryan,
Chairman

The following message was received from the Governor:

Executive Office
Bannack City
January 4th, 1865

To the Honorable Speaker of the House of Representatives

Sir:

I have this day signed House Bill No. 20 entitled, "An act to authorize Zedekiah A. Stone and his associates to construct and keep a toll bridge across the Beaver Head."

Respectfully yours,

Sidney Edgerton
Governor

Mr. Smith from Committee on Enrollment reported he had presented House Bill No. 32 to the Governor for his signature.

The following message was received from the Council:

Council Chamber
January 4th, 1865

Mr. Speaker:

I am instructed by the House (sic) to inform your Honorable Body that they have passed the following bills, To Wit:

C. B. No. 46. "An act concerning the writ of Habeas Corpus."

C. Memorial No. 1 asking for a weekly mail from Virginia City to Deer Lodge, Hell Gate, Etc.

House Bill No. 2. To incorporate the Virginia City and Summit City Wagon Road Company with the following amendments: In Section Five, add after said Section proviso as follows: "Provided said right of way shall not interfere with previous vested rights nor with mining privileges without just and full compensation to parties injured by such right of way." Section 6, 13th Line, strike out the word "three" before the word "dollars" and insert the word "two" instead thereof. In 8th Line, same Section, strike out the words "one dollar" and insert the words "fifty cents" in lieu thereof. In 9th Line strike out the words "one dollar" and insert "fifty cents" in lieu thereof. In 10th Line strike out the word "thirty" and insert the word "twenty" before the word "cents". In 11th Line strike out the word "thirty" and insert the word "twenty" before the word "cents". In 15th Line before the word "Highland" insert the words "toll gate at". In Section 7 strike out the words "or any part thereof that may be used". In Section 8, Line two strike out the words "unless caused by floods or snows". In 9th Line insert "the President or Secretary" after the word "Company". In 18th Line after the word "Justice" insert the words "one-half to the complainant and the other half". In Section 8th, 4th Line, after the words "toll" insert the words "at such time". In Section 9th, 1st Line after the word "willfully" insert the words "and maliciously".

H. B. No. 36, "An act concerning Counsellors and Attorneys at law."

The following notices for the introduction of bills were received: Notice to introduce an act to incorporate the Yellow Stone Anthracite Coal Co. Dec 31, 1864. Notice to incorporate the Montana Bridge Co. Also, granting the right to use the waters of Wisconsin Gulch for milling and irrigating purposes. Also, to enable road, ditch, manufacturing and other companies to become bodies corporate. Also, to incorporate the Alder Gulch and Madison River Ditch Co.

Geo. A. Haynes
Secretary of Council

On motion of Mr. Johnson, the House adjourned.

EIGHTEENTH DAY

House of Representatives
January 5th, 1865

House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain.

Roll called. Absent: Mr. Huffaker.

Minutes of last meeting read and approved.

The following message was received from the Council:

Council Chamber
January 5th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that they have passed the following bills, Viz.:

C. B. No. 35. "An act entitled an act to provide for the compensation of Henry Thompson for services rendered the Territory."

C. B. No. 37. "An act concerning weights and measures."

C. B. No. 49. "An act to authorize John S. Lott and Mr. H. Lott to use the water of Wisconsin Gulch."

Also, that H. B. No. 5, "An act to incorporate the Montana and Idaho Wagon Road Company", was rejected.

The following notices for the introduction of bills were received:

To incorporate the Alder Gulch and Madison River Ditch Company.

To enable road, ditch, manufacturing and other companies to become Bodies Corporate.

Notice in relation to fords: For a ferry across the Missouri River at or near Fort Benton.

George A. Haynes
Secretary of Council

Mr. Faulds gave notice he would introduce a bill for the protection of roads, bridges and fords.

The Joint Code Committee to whom was referred House Bill No. 47, having had the said bill under consideration, beg leave to make the following report: By referring back to the House and recommend its passage.

W. J. McCormick
Chas. L. Bagg
A. E. Mayhew

Mr. Bell introduced House Bill No. 50. "An act to incorporate the Jefferson Mining Company." Read the 1st time at length and 2nd time by title and referred to Committee on Incorporations.

Mr. McCormick introduced House Bill No. 51. "An act to regulate proceedings in criminal cases in the courts of justice in this Territory." Read the 1st and 2nd times and referred to Joint Code Committee.

Council Bill No. 49, having been read the 1st and 2nd times, was referred to Committee on Agriculture.

Council Memorial No. 1, having been read at length the 1st time and 2nd time by title, was referred to Committee on Federal Relations.

Council Bill No. 35, having been read the 1st and 2nd times, was, on motion of Mr. McCormick, referred to a special committee. Messrs. McCormick, Bell and Buck were named said committee.

Council Bill No. 37, having been read the 1st and 2nd times, was referred to Committee on Judiciary.

Council Bill No. 46, having been read the 1st and 2nd times, was, on suspension of the Rules, read the 3rd time and passed.

Yeas: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, Ryan, Smith and Mr. Speaker — 9.

Nays: None.

There being no objection to the title, it was agreed to.

The committee to whom was referred House Bill No. 49 report the same back to the House without amendment and recommend that it pass.

Faulds,
Chairman

House Bill No. 2, having been read with the amendment added by the Council, the amendments were agreed to and the bill ordered engrossed.

On motion of Mr. Courtright, the House dismissed the Page.

On motion of Mr. Stuart, the House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met agreeable to adjournment. Speaker in the Chair.

Roll called. Absent: Messrs. Huffaker, Johnson and Ryan.

The following message was received from the Council:

Council Chamber
January 5th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that they have passed the following bills:

C. B. No. 11, "An act granting to C. R. Bissell and J. E. Bissell the right to build or construct a wagon road from the Silver Bow to the Jefferson River."

C. B. No. 42, "An act to incorporate the Rocky Mountain Gold and Silver Mining Company."

C. B. No. 47, "An act prohibiting certain games in Montana Territory."

H. B. No. 44, "An act for the compensation of D. D. Chamberlain for services rendered and money expended", with the following amendments: Strike out the words "six hundred" before the words "dollars" in third

Line of Section 1 and insert the words "three hundred and fifty" in lieu thereof.

George A. Haynes
Secretary of Council

The following communication was received from the Governor:

Executive Office
Bannack City
December 30th, 1864

To the Honorable Speaker of the House of Representatives

Sir:

I have this day signed House Bill No. 1 entitled, "An act to incorporate the City of Virginia." Also House Bill No. 22 entitled, "An act securing liens to mechanics and others."

Sidney Edgerton
Governor

Council Bill No. 11, having been read at length the first time and second times by title, it was, on motion of Mr. Courtright, amended by striking out the word "ten" and inserting the word "five". Amendment agreed to and, on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, McCormick, Mayhew, Smith and Mr. Speaker — 8.

Nays: Stuart — 1.

There being no objection to the title, it was agreed to.

The House proceeded to elect a Page. Mr. Faulds nominated Henry Flanagan. Mr. Mayhew nominated Sidney C. Edgerton. The roll being called. Master Flanagan received 4 votes: Messrs. Courtright, Faulds, Johnson and Stuart. Master Edgerton received 6 votes: Bell, Buck, Mayhew, McCormick, Smith and Mr. Speaker. Whereupon Sidney C. Edgerton was declared elected Page of the House.

On motion of Mr. Buck, reconsidered the vote by which the Council Amendments to House Bill No. 2 were concurred in. The House then rejected the amendments, and on motion of Mr. McCormick, the Speaker appointed a conference committee of two to confer with a like committee from the Council in relation to the bill. The Speaker appointed Messrs. McCormick and Bell.

Council Bill No. 42, having been read the first and second times, was referred to Committee on Incorporations.

On motion of Mr. Courtright, the House adjourned.

NINETEENTH DAY

House of Representatives
January 6th, 1865

House met as per adjournment. Speaker in the Chair. Prayer by the Chaplain.

Roll called. Absent: Courtright, Huffaker, Johnson and Mayhew.

Minutes of last meeting read and approved.

The Joint Committee on Enrollment have examined the following bills, report the same correctly enrolled, and that they have presented the same to the Governor for his signature: House Bills Nos. 39, 34, 40, 41 and 45. Also Joint House Memorial No. 1.

Smith

The Judiciary Committee to whom was referred House Bill No. 46 and Council Bill No. 17, beg leave to report the same back to the House and recommend their passage without amendment.

W. J. McCormick
A. E. Mayhew
I. N. Buck

The Special Committee to whom was referred Council Bill No. 35 have had the same under consideration, and beg leave to report the same back to the House with the recommendation it pass without amendment.

W. J. McCormick
Francis Bell
I. N. Buck

Mr. McCormick gave notice that he would on tomorrow introduce a bill incorporating the Silver Bow Mining Company.

Mr. Smith gave notice that he would on some future day introduce a bill to prevent the carrying of concealed deadly weapons in the cities and towns of this Territory. Also, that on tomorrow or some subsequent day he would introduce a bill granting to Homer R. Payne a divorce from the Bonds of Matrimony now existing between said Payne and Adeline Payne.

The following message was received from the Council:

Council Chamber
January 6th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that they have passed the following bills:

C. M. No. 2. Joint Resolution and Memorial to the Honorable Senate and House of Representatives of the U. S. of America in Congress assembled.

C. B. No. 7. "An act to incorporate the Beaver Head and Big Hole Bridge Co."

C. B. No. 25. "An act to incorporate the North Side Ditch Co."

C. B. No. 50. "An act relating to fords."

C. B. No. 43. "An act adopting the common law of England."

C. B. No. 41. "An act to incorporate the Jefferson Town Co."

Also the following notices for the introduction of bills were received by the Council:

Notice

To define county boundaries and provide for locating county seats in this Territory.

To incorporate Jefferson City, Jefferson County, Montana Territory.

To incorporate Junction City, Madison County, Montana Territory.

To dissolve the Bonds of Matrimony between Clarissa Green and Phillip Green.

To incorporate the Montana Tunnel Company.

Geo. A. Haynes
Secretary of Council

The committee to whom was referred House Bill No. 23, beg leave to make the following report: Strike out all of Section 3 and insert the following: "A general election shall be held in the several townships or precincts in this Territory on the first Monday of September of each year, at which election shall be chosen all such officers as are by law to be elected in such year unless otherwise provided for. The election for delegate to Congress and other officers as may be provided for shall take place on the first Monday of September A. D. 1865 and every two years thereafter."

Francis Bell
M. Courtright

On motion of Mr. Smith, the report of the committee was adopted, and the bill ordered engrossed.

Council Memorial No. 2, having been read the first and second times, on suspension of the Rules, it was read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Johnson, McCormick, Ryan, Stuart, Smith and Mr. Speaker — 10.

Nays: None.

There being no objection to the title, it was agreed to.

Council Bill No. 7, having been read the first and second times, and, on suspension of the Rules, read the third time and passed.

Yeas: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith and Mr. Speaker — 11.

Nays: None.

There being no objection, the title was agreed upon.

On motion of Mr. Buck, the following amendments to House Bill No. 23 were adopted: Strike out the words "three months" in Section 1, Line 10, and insert "20 days". Strike out the word "Twenty" in Section 1, Line 11, and insert the word "two". Strike out in Section 1, Line 1, the word "inhabitant" and insert the words "Citizens of the United States and those who have declared their intentions to become Citizens."

The following message was received from his Excellency, the Governor:

Executive Office
Bannack City
January 5, 1865

To the Honorable Speaker of the House of Representatives

Sir:

I hereby return to your Honorable Body, House Bill No. 32. My objection to this bill is that the privileges therein conferred are in conflict with the rights of the Missouri River and Rocky Mountain Wagon Road and Telegraph Company.

Respectfully yours,

Sidney Edgerton
Governor

Council Bill No. 41, having been read at length the first time and second times by title, was on suspension of the Rules, read a third time and passed.

Ayes: Buck, Courtright, Faulds, McCormick, Johnson, Stuart, Smith and Mr. Speaker — 8.

Nays: Bell, Mayhew — 2.

There being no objection, the title was agreed to.

Council Bill No. 43, having been read the first time at length, and second time by title, Mr. Stuart moved to table the bill.

Ayes: Faulds, McCormick, Ryan, Stuart and Mr. Speaker — 5.

Nays: Bell, Buck, Johnson, Mayhew and Smith — 5.

Motion lost. On suspension of the Rules, the bill was read a third time and passed.

Ayes: Bell, Buck, Courtright, Mayhew, Smith and Mr. Speaker — 6.

Nays: Faulds, Johnson, McCormick, Ryan and Stuart — 5.

There being no objection, the title was agreed to.

On motion of Mr. McCormick, leave of absence was granted to Mr. Mayhew during the afternoon.

On motion of Mr. Stuart, the House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met agreeable to adjournment. Speaker in the Chair.

Roll called. Absent: Buck, Huffaker and Ryan.

The following message was received from the Council:

Council Chamber
January 6th, 1865

Mr. Speaker:

I am instructed by the Council to inform your Honorable Body that they have passed:

C. B. No. 12. An act to incorporate the Valparaiso Gold and Silver Mining Company.

C. B. No. 30. An act to preserve the district records in relation to leads, lodes and ledges. The amendments made by the House to the said bill were not concurred in by the Council and would respectfully ask your Honorable Body to recede from said amendments.

C. B. No. 11. An act granting to C. R. Bissell and J. E. Bissell the right to build and construct a wagon road from Silver Bow to the Jefferson River. Amendments by the House were concurred in by the Council.

H. B. No. 10. An act to incorporate the Hell Gate and Deer Lodge Wagon Road Company.

H. B. No. 42. An act to exempt the property of married women from execution in certain cases.

H. B. No. 46. An act creating the office of District Attorney in each of the organized Judicial Districts of Montana Territory and to define their duties, privileges, and powers and fix their salaries, was passed with the following amendments: Strike out the word "also" in 14th Line, Section 4, and insert the words "and ten per centum on". Also insert between the 12th and 13th Lines, Section 5 "for every conviction of felony where the punishment is other than death, twenty-five dollars"; and strike out the words "conviction shall be had" 16th Line, same section and insert in place thereof "offence shall have been committed".

George A. Haynes
Secretary of Council

Council Bill No. 50, having been read the first and second times, was, on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 9.

Nays: None.

There being no objection, the title was agreed upon.

Council Bill No. 47, having been read the first and second times, was, on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 9.

Nays: None.

There being no objection, the title was agreed to.

Council Bill No. 17, having been read the first and second times, was, on suspension of the Rules, read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Johnson, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 10.

Nays: None.

There being no objection, the title was agreed to.

Council Bill No. 35, having been read the first and second times, was, on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Johnson, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 10.

Nays: None.

There being no objection, the title was agreed to.

House Bill No. 44, with the Council amendment, was on motion of Mr. Buck, referred to a Special Committee of Conference. The Speaker appointed Messrs. Smith and Courtright said committee.

House Bill No. 52, having been read the third time, passed.

Ayes: Bell, Buck, Courtright, Faulds, Johnson, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 10.

Nays: None.

There being no objection to the title, it was agreed to.

Council Bill No. 25, having been read the first and second times, was, on motion of Mr. Smith, referred to a special committee. The Speaker named Messrs. Smith, Faulds, Bell said committee.

The Committee on Military Affairs have examined House Bill No. 48 and report the same back to the House.

P. Ryan
J. Stuart

The following message was received from the Council:

Council Chamber
January 6th, 1865

Mr. Speaker:

I am instructed to inform your Honorable Body that the following Resolution has been adopted.

Resolved: By the Council of the Legislative Assembly of the Territory of Montana that the House be requested to act upon and forward with as little delay as practicable the Civil and Criminal Code designed for the Territory and the Clerk of the Council inform the House of this request.

C. S. Bagg

George A. Haynes
Secretary of Council

On motion of Mr. Courtright, the House adjourned to tomorrow at 10 o'clock a.m.

TWENTIETH DAY

House of Representatives
January 7th, 1865

The House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain.

Roll called. Absent: Mr. Huffaker.

Minutes of last meeting read and approved.

The Committee on Federal Relations, to whom was referred C.B. No. 1, report the same, without amendment, and recommend its passage.

Johnson
Faulds
Courtright

The following message was received from the Governor:

Executive Office
Bannack City
January 6th, 1865

To the Honorable Speaker of the House of Representatives
Sir:

I have this day signed the following:

House Bill No. 34. An act providing punishment for certain offences.

House Bill No. 40. An act to prevent the sale of intoxicating liquors to soldiers.

House Bill No. 39. An act to prohibit the sale of ardent spirits or fire arms to Indians.

House Bill No. 41. An act regulating the width of roads.

House Bill No. 45. An act to incorporate the Town of Montana.

Respectfully yours,

Sidney Edgerton
Governor

The following message was received from the Council:

Council Chamber
January 7th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that they have passed the following bills:

C. B. No. 6. An act granting a ferry across the Big Horn River.

H. B. No. 8. An act granting to Franklin Ruff and others the right to have and maintain a ferry or bridge across the Jefferson River on the road from Virginia City to Fort Benton and Prickley Pear.

The following notices for the introduction of bills were received by the Council January 6th, 1865:

Notice:

To incorporate the Virginia City and Prickley Pear Wagon Road Company.

To incorporate the Empire Gold & Silver Mining Co.

To incorporate the Silver Mountain Mining Co.

An act relative to marriages for unconditional divorces.

George A. Haynes
Secretary of Council

On motion of Mr. Mayhew, the House resolved itself into Committee of the Whole on House Bill No. 47.

Mr. Buck in the Chair.

When the Committee arose, he made the following report:

Mr. Speaker: I am directed by the Committee of the Whole, to whom was referred H. B. No. 47, to report to you that we have had the same under consideration and report the same back to the House and recommend that it pass with the following amendment: Striking out Section 39, Art. 2.

I. N. Buck,
Chairman

On motion of Mr. Mayhew, the report was received and the amendment adopted. The bill was then read the third time and passed.

Ayes: Bell, Buck, Faulds, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 10.

Nays: None.

The title was then altered so as to read: "An act in relation to executors and administrators."

House Bill No. 46 having been returned from the Council with amendments, the amendments were adopted and the bill ordered engrossed.

The following communication was received from the Council:

Council Chamber
January 7th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that they have passed the following bills:

C. B. No. 53. An act designating the time for holding a term of the District Court in Madison County.

H. B. No. 43. An act to protect and regulate the irrigation of lands.

The following notices for the introduction of bills were received by the Council January 7th, 1865:

Notice.

To incorporate the Missouri River Portage and Rail Road Co.

To incorporate a ferry across Sun River.

To incorporate a ferry across Missouri River at or near Fort Benton.

George A. Haynes
Secretary of Council

The House took up House Bill No. 30 and on motion of Mr. Buck, a conference committee was appointed by the Speaker consisting of Messrs. Buck, Courtright and Faulds, to confer with a like committee from the Council in relation to the bill.

Council Bill No. 53, having been read the first and second times, the Rules were suspended and the bill read a third time and passed.

Yeas: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 11.

Nays: None.

There being no objection to the title, it was agreed upon.

On motion of Mr. McCormick, the House adjourned.

TWENTY-FIRST DAY

House of Representatives
January 9th, 1865

House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain.

Roll called. Absent: Mr. Johnson.

Minutes of last meeting read and approved.

Mr. Smith introduced House Bill No. 53. "An act dissolving the Bonds of Matrimony existing between Homer K. Payne and Adeline Payne." Read the first and second times, and on motion of Mr. Buck, referred to a Select Committee of three. Messrs. Buck, Smith and Courtright were appointed said committee.

Mr. Smith introduced House Bill No. 54. "An act to prevent the carrying of concealed deadly weapons in the cities and towns of this Territory." Read the first and second times and on suspension of the Rules, read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 12.

Nays: None.

There being no objection, the title was agreed to.

Mr. Smith gave notice that on tomorrow, or some future day of the session, he would introduce a bill incorporating the Beaver Head Ditch Company.

Council Bill No. 6, having been read the first and second times, was referred to the Committee on Incorporations.

Council Bill No. 12, having been read the first and second times, on motion of Mr. Courtright, was referred to a Special Committee of three. The Speaker appointed as said committee Messrs. Courtright, Smith and Faulds.

Council Memorial No. 1, having been read the third time, passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 12.

Nays: None.

There being no objection, the title was agreed to.

On motion of Mr. Buck to appoint a Joint Committee of four from this House on towns and counties, the House agreed to it, and the Speaker appointed Messrs. Buck, Bell, Stuart and Smith said Committee.

The Special Committee to whom was referred Council Bill No. 25, beg leave to report back said bill with the following amendments: Strike out all of Line 9, but the two first words. All of Line 10, and the first word in Line 11, Section 4, and add to same section "provided that nothing in this section shall be so construed as to allow the company to use more than one thousand inches of water."

A. J. Smith

F. Bell
W. Faulds

On motion of Mr. Smith, the bill was further amended by striking out the word "perpetual" wherever found in the bill and inserting the words "two years." The House adopted the amendments and the bill, having been read the third time, passed.

Ayes: Bell, Faulds, Huffaker, Johnson, McCormick, Stuart, Smith, Mr. Speaker — 8.

Nays: Buck and Courtright — 2.

There being no objection to the title, it was agreed to.

Mr. Bell gave notice he would on tomorrow or some future day introduce a bill to incorporate the Consolidated Mining Company of Montana.

The Committee on Engrossment reported back House Bill No. 33 properly engrossed. The bill was then read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 10.

Nays: None.

There being no objection to the title, it was agreed to.

The committee to whom was referred House Bill No. 23 report the same back to the House and recommend its passage.

Mayhew
Buck
McCormick

House Bill No. 23 was read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, McCormick, Stuart, Smith, Mr. Speaker — 10.

Nays: None.

There being no objection, the title was agreed to.

On motion of Mr. Courtright, the House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

The House met agreeable to adjournment. The Speaker in the Chair.

Roll called. Absent: Johnson.

On motion of Mr. McCormick, House Bills Nos. 3 and 7 were made the special order for tomorrow morning at 10 o'clock.

The Joint Code Committee to whom was referred House Bill No. 51, have had the same under consideration and beg leave to report the same back to the House with the recommendation that it pass without amendments.

W. J. McCormick
A. E. Mayhew

On motion of Mr. McCormick, the House went into Committee of the Whole on House Bill No. 51. The Speaker gave the Chair to Mr. Bell. When the committee arose, the Chairman reported that the committee have had House Bill No. 51 under consideration and report the same back to the House without amendments and recommend its passage. The House

then adopted the report of the committee and the bill, after being read the third time, passed.

Ayes: Bell, Buck, Faulds, Johnson, McCormick, Stuart, Smith, Mr. Speaker — 8.

Nays: None.

There being no objection, the title was agreed to.

The Committee on Enrollment reported House Bill No. 46 correctly enrolled. Also that the same had been presented to the Governor for his signature.

House Bill No. 49, having been read the third time, passed.

Ayes: Bell, Buck, Faulds, Johnson, McCormick, Stuart, Smith, Mr. Speaker — 8.

Nays: None.

There being no objection, the title was agreed upon.

On motion of Mr. Stuart, the House adjourned.

TWENTY-SECOND DAY

House of Representatives
January 10th, 1865

House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain.

Roll called. All present.

Minutes of last meeting read and approved.

The following message was received from the Council:

Council Chamber
January 10th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that they have passed the following bills, Viz:

C. B. No. 45, An act to provide increased compensation to officers in this Territory.

C. B. No. 51, An act to incorporate the Junction City Town Company.

H. B. No. 54, An act [to] prevent the carrying [of] concealed deadly weapons in the cities and towns of this Territory.

H. B. No. 13, An act to incorporate the Bitter Root And Kootney Wagon Road and Ferry Company.

The following notices for the introduction of bills were received by the Council January 9th, 1865:

To incorporate the Deer Lodge and Prickley Pear Wagon Road Co.

To incorporate the Excelsior Coal Mining and Manufacturing Company.

To provide for the compensation of B. B. Burchett for services rendered this Territory.

To provide for the collection of a revenue in this Territory.

To incorporate the Consolidated Mining Company of Montana Territory.

George A. Haynes
Secretary of Council

The Committee on Incorporations, to whom was referred House Bills Nos. 3 and 7, report the same back to the House with a statement and affidavits.

A. E. Mayhew,
Chairman

On motion of Mr. Buck, the House went into Committee of the Whole on House Bills Nos. 3 and 7.

Mr. Buck in the Chair.

When the committee arose, they made the following report:

I am directed to report to you that the committee have had House Bills Nos. 3 and 7 under consideration and report them back to the House.

I. N. Buck,
Chairman

On motion of Mr. Bell, the report was adopted.

On motion of Mr. McCormick, the House proceeded to the consideration of House Bill No. 7 which was read the three times and passed.

Yeas: Buck, Courtright, Faulds, Huffaker, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 9.

Nays: Bell, Johnson, Mayhew — 3.

There being no objection, the title was agreed upon.

The following message was received from the Council:

Council Chamber
January 10th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that they have passed the following bills:

C. B. No. 63, "An act to incorporate the Consolidated Mining Company of Montana."

Geo. A. Haynes
Secretary of Council

On motion of Mr. Mayhew, the House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met agreeable to adjournment. Speaker in the Chair.

Roll called. Absent: Mr. Huffaker.

Mr. Smith made a motion that the House reconsider the vote by which House Bill No. 7 passed. On motion of Mr. McCormick, the motion to reconsider was laid on the table.

Ayes: Buck, Courtright, Faulds, Huffaker, McCormick, Ryan, Stuart, Mr. Speaker — 8.

Nays: Johnson, Mayhew, Bell, Smith — 4.

On motion of Mr. McCormick, House Bill No. 3 was taken up. Mr. McCormick moved the bill be laid on the table and the consideration indefinitely postponed, the Ayes and Noes having been called:

Ayes: Buck, Courtright, Huffaker, McCormick, Ryan, Stuart, Mr. Speaker — 7.

Nays: Bell, Faulds, Johnson, Mayhew, Smith — 5.

Mr. McCormick made a motion to reconsider the vote laying House Bill No. 3 on the table, and on motion of Mr. McCormick the last motion was laid on the table. The Ayes and Noes being called resulted as follows:

Ayes: Buck, Courtright, Huffaker, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 8.

Nays: Bell, Faulds, Johnson, Mayhew — 4.

Council Bill No. 63, having been read the first and second times, was, on suspension of the Rules, read a third time and passed.

Ayes: Buck, Courtright, Faulds, Huffaker, Johnson, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 10.

Nays: None.

There being no objection, the title was agreed to.

Mr. McCormick introduced House Bill No. 55, "An act to incorporate the Brandon Town Company." Read the first and second times and on suspension of the Rules, read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Ryan, Stuart, Smith, Mr. Speaker — 10.

Nays: McCormick — 1.

There being no objection to the title, it was agreed upon.

Mr. Huffaker gave notice that he would at an early day introduce a bill to incorporate the North Mill Creek Ditch Company.

Mr. Faulds gave notice that on tomorrow or some future day he would introduce a bill to grant H. H. Denas the right to erect a Dam on Grasshopper Creek for milling purposes.

Mr. Smith introduced House Bill No. 56, "An act to incorporate the Virginia City Gas Company." Read the first and second times and, on suspension of the Rules, read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Ryan, Stuart, Smith, Mr. Speaker — 10.

Nays: None.

There being no objection, the title was agreed upon.

Mr. Stuart introduced House Bill No. 57, "An act to incorporate the Big Horn Town Association." Read the first and second times and on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Faulds, Huffaker, Johnson, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 10.

Nays: Courtright — 1.

There being no objection to the title, it was agreed to.

Mr. Faulds introduced House Bill No. 58, "An act for the protection of roads." Read the first and second times and, on suspension of the Rules, read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 11.

Nays: None.

There being no objection to the title, it was agreed to.

Mr. Smith introduced House Bill No. 59, "An act to incorporate the Beaver Head Ditch Co." Read the first and second times and referred to Committee on Incorporations.

On motion of Mr. McCormick, the House granted leave of absence to Mr. Stuart for two weeks.

On motion of Mr. McCormick, the House adjourned.

TWENTY-THIRD DAY

House of Representatives
January 10th, 1865

House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain.

Roll called. Absent: Mr. Ryan.

The Committee on Incorporations, to whom was referred Council Bill No. 30, have had the same under consideration and report the same back to the House and recommend that it pass with the following amendments: By striking out of Line 2 the following words "or an abstract thereof" and insert after the word "ledge" in Line 3, "Ranch, Water and Mill". Strike out of Section 2, Line 3, "or an abstract thereof" after the word "ledge" insert "Ranch, Water and Mill". In Section 3, Line 6, after the words "cents to be paid by the District Recorder". In same section, Line 8, strike out the words "or an abstract thereof". Add to Section 3 "provided that nothing in this act shall be so construed as to admit any District Recorder to deposit more than one set of books."

I. N. Buck
W. Faulds
M. Courtright

On motion of Mr. McCormick, the report of the committee was received and the committee discharged. On motion of Mr. Buck, the report was adopted and the bill as amended agreed to.

The Special Committee, to whom was referred House Bill No. 44, report that they have had the same under consideration, and have instructed me to report the same back, and recommend its passage, with the following amendments: To Wit: Strike out the words "Six hundred" before the word "dollars", in Line 3 of Section 1st, and insert the words "three hundred" in lieu thereof. Strike out in Line four, Section 1st after the word "for" the words "time employed" and "money expended in procuring", and between the words "laws" in Line five and "of" in Line six insert the words "bound statutes", and in Line seven, same section strike out the word "Courts." The report was received and the committee discharged, and the amendments to the bill adopted.

The Select Committee on Council Bill No. 12 made the following report:

Mr. Speaker: Your Select Committee have had said bill under consideration and report the same back and recommend its passage.

Smith

The House then took up House Bill No. 60, "An act concerning guardian and ward." Read the first and second times and on suspension of the Rules, read third time and passed.

Yeas: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Smith, Mr. Speaker — 10.

Nays: None.

There being no objection to the title, it was agreed to.

Council Bill No. 45 was read the first and second times and referred to a Select Committee consisting of Courtright, McCormick and Huffaker.

The Special Committee to whom was referred H. B. No. 53 report the same back without recommendation. The bill was then read the third time and passed.

Yeas: Courtright, Faulds, Huffaker, Johnson, McCormick, Smith, Mr. Speaker — 7.

Nays: Buck, Bell, Mayhew — 3.

There being no objection to the title, it was agreed to.

The following messages were received from the Governor:

Executive Office
January 10th, 1865

To the Honorable Speaker of the House of Representatives

Sir:

I have this day signed House Bill No. 46, entitled: "An act creating the office of District Attorney in each of the organized Judicial Districts of Montana Territory and to define the duties, privileges and powers and fix their salaries."

Sidney Edgerton
Governor

Executive Office
January 11th, 1865

To the Honorable Speaker of the House of Representatives

Sir:

I have this day approved House Bill No. 54, entitled: "An act to prevent the carrying of concealed deadly weapons in the cities and towns of this Territory."

Respectfully yours,

Sidney Edgerton
Governor

The House took up Council Bill No. 12, read it the third time and passed.

Ayes: Bell, Buck, Faulds, Huffaker, Mayhew, McCormick, Smith, Mr. Speaker — 8.

Nays: Mr. Courtright.

There being no objection, the title was agreed to.

Council Bill No. 51, having been read the first and second times, and on suspension of the Rules, read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, McCormick, Smith, Mr. Speaker — 9.

Nays: None.

There being no objection, the title was agreed to.

On motion of Mr. Courtright, the House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met agreeable to adjournment.

Roll called. Absent: Johnson, Mayhew and Ryan.

The Joint Committee on Enrollment have examined H. Bills Nos. 10, 13, 36, 42 and 43, and report them correctly enrolled, and that the same were presented to the Governor this day for his signature.

Smith

Mr. Mayhew gave notice that he would at some future day introduce a bill in relation to doctors or person practicing medicine.

The committee to whom was referred C. B. 27 made the following report: We have had the same under consideration and report the same back to the House and recommend the passage of the same.

Mayhew
Buck

Mr. Johnson offered the following resolution which was adopted. Resolved: That the Door Keeper shall have full control of the House in the absence of the members and that no person or persons shall have right or control to the same unless leave be granted by the Door Keeper.

On motion of Mr. Courtright, the House adjourned.

TWENTY-FOURTH DAY

House of Representatives
January 12th, 1865

House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain.

Roll called. Absent: Mr. Ryan.

Minutes of last meeting read and approved.

Mr. Smith gave notice that on tomorrow or some future day of the session, he would introduce a bill "concerning marks and brands."

Mr. Huffaker introduced House Bill No. 61, "An act to incorporate the North Mill Creek Ditch Company." Read the first and second times and referred to Committee on Incorporations.

Mr. Faulds introduced House Bill No. 62, "An act granting H. H. Denas and others, certain milling privileges." Read the first and second times and referred to Committee on Incorporations.

The following message was received from the Council:

Council Chamber
January 12th, 1865

Mr. Speaker: I am directed by the Council to inform your Honorable Body that they have passed the following bills:

House Bill No. 52, "An act to enable soldiers to hold claims," with this amendment: Section 1, Line 5, strike out "one year" and insert "six calendar months".

The following notice for the introduction of a bill was received by the Council January 11: "An act to incorporate the Montana Coal and Manufacturing Company."

George A. Haynes
Sect. of Council

Council Bill No. 27, having been read at length with the amendments, Mr. McCormick offered the following: Sections 161, 162, 163 as additional amendments to say, "Any persons who shall keep, manage or control any public 'dancehouse,' 'hurdy gurdy' house or place of boisterous or immoral amusement, such person or persons shall be guilty of a misdemeanor and on conviction thereof shall be fined in any sum, not less than one hundred dollars nor more than one thousand dollars for the first offence, and for each succeeding offence not less than two hundred nor more than two thousand dollars. Section 162. The owner of any building, house, tent or booth where such amusements are carried on shall be deemed the keeper thereof. Section 163. Any person or persons attending such place or places of amusements shall be competent to testify in any case arising under this act when not rendered otherwise incompetent by law." The Yeas and Nays being ordered.

Yeas: Buck, Faulds, Huffaker, Johnson, McCormick, Ryan, Smith, Mr. Speaker — 8.

Nays: Bell, Courtright, Mayhew — 3.

So the amendment was agreed to, and the bill as amended, read a third time and passed.

Ayes: Bell, Buck, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Smith, Mr. Speaker — 10.

Nays: None.

There being no objection to the title, it was agreed to.

The Committee on Judiciary to whom was referred House Bill No. 18, in relation to the Civil Proceedings Act beg leave to report the bill back and recommend its passage.

The following communication was received from his Excellency, the Governor:

Executive Office
January 12th, 1865

To the Honorable Speaker of the House of Representatives

Sir:

I have this day approved the following House Bills:

H. B. No. 10. To incorporate the Hell Gate and Deer Lodge Wagon Road Company.

H. B. No. 13. To incorporate the Bitter Root and Kootney Wagon Road and Ferry Company.

H. B. No. 36. An act concerning attorneys and counsellors at law.

H. B. No. 42. An act to exempt the property of married women from execution in certain cases.

H. B. No. 43. An act to protect and regulate the irrigation of land.

Respectfully yours,

Sidney Edgerton
Governor

Your committee to whom was referred Council Bill No. 45 have had the same under consideration and beg leave to report the same back to the House with the following amendment: Add to Section 2 at the end of 18th Line, "The Chaplain five dollars".

M. Courtright
W. J. McCormick
W. Huffaker

The amendment was adopted and the bill read a third time and passed.

Ayes: Bell, Buck, Faulds, Huffaker, Johnson, Mayhew, Ryan, Mr. Speaker — 8.

Nays: Courtright, McCormick, Smith — 3.

There being no objection, the title was agreed upon.

Mr. Smith made a motion to go into Committee of the Whole this afternoon on House Bill No. 18. Agreed to.

On motion of Mr. McCormick, the House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain.

Roll called. Absent: Smith and Ryan.

The House went into Committee of the Whole on H.B. No. 18. Mr. McCormick in the Chair. When the Committee arose the Speaker resumed the Chair and on motion of Mr. Mayhew, the House adjourned.

TWENTY-FIFTH DAY

House of Representatives
January 13th, 1865

House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain.

Roll called. Absent: Smith and Ryan.

Minutes of last meeting read and approved.

Mr. Bell gave notice that on tomorrow or some future day of the session he would introduce a bill to prevent officers dealing in certain securities.

The Joint Committee on Enrollment report:

We have examined H. B. No. 8 and find the same correctly enrolled. And that we have this day presented the same to the Governor for his signature and approval.

Smith,
Chairman

The following message was received from the Governor:

Executive Office
January 13th, 1865

To the Honorable Speaker of the House of Representatives

Sir:

I have this day approved House Bill No. 8 entitled, "An act granting to Franklin Ruff, James Hiester and Antoine Premeau a ferry or bridge across the Jefferson River on the road from Virginia City to Fort Benton and Prickley Pear."

Respectfully yours,

Sidney Edgerton
Governor

House Bill No. 52, having been read with the amendment made by the Council for information, the amendment was adopted and the bill ordered engrossed.

The following message was received from the Council:

Council Chamber
January 13th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that they have passed the following bill and memorial:

C. M. No. 5 asking for a direct daily mail between Bannack City and Missouri.

H. B. No. 33 an act regulating the holding of elections in Montana Territory.

George A. Haynes
Secretary of Council

The House went into Committee of the Whole on House Bill No. 18.

Mr. McCormick in the Chair.

When the Committee arose, the Speaker resumed the Chair.

On motion of Mr. Huffaker, the Council took up Council Memorial No. 5, which was read at length the first time. On motion of Mr. McCormick the word "Prohibition" was stricken out and the word "Prohibition" inserted. The bill was then read a second time and on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Smith, Mr. Speaker — 11.

Nays: None.

There being no objection, the title was agreed to.

On leave, Mr. Mayhew gave notice he would on tomorrow introduce the following bills:

To incorporate the Bozeman City and Milk River Wagon Road Co.

Also, a bill incorporating the Bozeman City and Fort Laramie Wagon Road and Telegraph Co.

On motion of Mr. McCormick, the House adjourned.

TWENTY-SIXTH DAY

House of Representatives
January 14th, 1865

House met agreeable to adjournment. Speaker in the Chair. Prayer by Chaplain.

Roll called. Absent: Courtright, Huffaker, Johnson and Smith.

Minutes of last meeting read and approved.

Mr. Bell introduced House Bill No. 63, "An act to prevent officers dealing in certain securities." Read the first and second times and referred to Committee on Judiciary.

Mr. Mayhew introduced House Bill No. 64, "An act to incorporate the Bozeman City and Fort Laramie Wagon Road and Telegraph Company." Read the first and second times and on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Mayhew, McCormick, Ryan, Smith, Mr. Speaker — 9.

Nays: None.

There being no objection to the title, it was agreed to.

Mr. Mayhew introduced House Bill No. 65, "An act to incorporate the Bozeman City and Milk River Wagon Road Company." Read the first and second times and on suspension of the Rules, read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Mayhew, McCormick, Ryan, Smith, Mr. Speaker — 10.

Nays: None.

There being no objection made to the title, it was agreed to.

Mr. Huffaker introduced House Bill No. 66, "An act concerning limitations." Read the first and second times and on motion of Mr. Mayhew, Section 25 was added as follows: "This act shall take effect, and be in force from and after its approval by the Governor." The bill was then referred to Committee on Judiciary.

The House then went into the Committee of the Whole for the consideration of House Bill No. 18.

Mr. McCormick in the Chair.

When the Committee arose, the Speaker resumed the Chair and the following message was received from the Council:

Council Chamber
January 14th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that action was had on the following bills:

H. B. No. 15. An act to legalize the books of the District Recorders was indefinitely postponed.

H. B. No. 21. An act for the protection of wild game was laid on the table until a treaty is made with the Indians.

H. B. No. 31. An act authorizing James Foster to construct a bridge across the Gallatin River. Read the first and second times and referred to Committee on Incorporations and said committee reported back and recommended that said bill do not pass. Which was adopted.

H. B. No. 35. An act granting to Robert S. Kelly and James F. Forsman ferry and bridge privileges across the Madison River was read the first and second times and referred to Committee on Incorporations. Said committee recommended that said bill do not pass, which was adopted.

H. B. No. 44. An act for the compensation of D. D. Chamberlain for services rendered and money expended. The amendments of Committee of Conference were concurred in by the Council.

The following Council Bills were passed January 13, 1865:

C. B. No. 38. An act establishing a common school system for the Territory of Montana.

C. B. No. 54. An act to incorporate the Madison Ditch Company.

C. B. No. 59. An act to incorporate the Yellow Stone Anthracite and Bituminous Coal Company.

The following notices for the introduction of bills were received January 13, 1865:

Notice concerning the construction of statutes.

An act to incorporate the Gallatin Valley Ditch Company.

To authorize the appointment of Commissioner of Deeds.

Geo. A. Haynes
Secretary of Council

On motion of Mr. Johnson, the House adjourned.

TWENTY-SEVENTH DAY

House of Representatives
January 16th, 1865

House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain.

Roll called. Absent: Buck, McCormick, Johnson.

Minutes of last meeting read and approved.

The Committee on Incorporations, to whom was referred House Bills Nos. 4 and 50 and Council Bill No. 42, beg leave to make the following report by referring the said bills back to the House and recommend their passage.

A. E. Mayhew
I. N. Buck
J. W. McCormick

House Bill No. 4, having been read the third time at length, was put on its final passage and passed.

Ayes: Bell, Buck, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Smith, Mr. Speaker — 10.

Nays: Courtright — 1.

There being no objection, the title was agreed upon.

House Bill No. 50, having been read at length for information, was read a third time by title and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Mr. Speaker — 10.

Nays: None.

There being no objection, the title was agreed to.

Council Bill No. 42 was read at length for information and third time by title, and being put on its final passage, passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Smith, Mr. Speaker — 11.

Nays: None.

There being no objection, the title was agreed to.

The Joint Committee on Enrollment have examined House Bills Nos. 33, 44 and 52 and find the same correctly enrolled and have presented the same to the Governor for his approval.

Smith,
Chairman

On motion of Mr. Mayhew, House Bill No. 32 was called up. It having been returned by the Governor with objections. The question being on passing the bill over the Governor's objections.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Mayhew, McCormick, Ryan, Mr. Speaker — 9.

Nays: Johnson, Smith — 2.

There being more than a two-thirds vote in its favor, the Speaker declared it passed.

On motion of Mr. McCormick, the House went into Committee of the Whole on House Bill No. 18.

Mr. McCormick in the Chair.

When the committee arose, the Speaker took the Chair.

On motion of Mr. McCormick, the House reconsidered the vote by which they passed House Bill No. 32. Mr. McCormick then made a motion to indefinitely postpone the consideration of said bill. Adopted.

Mr. Courtright introduced House Bill No. 67. "An act to incorporate the Beaver Town Company." Read the first and second times and on suspension of the Rules, read the third time and passed.

Ayes: Bell, Buck, Faulds, Huffaker, Ryan, Smith — 6.

Nays: Courtright, Mayhew, Mr. Speaker — 3.

There being no objection to the title, it was agreed to.

Mr. Mayhew introduced House Bill No. 68. "An act to incorporate the Rams Horn Toll Road Company." Read the first and second times and referred to the Committee on Incorporations.

The House then went into Committee of the Whole on House Bill No. 18.

Mr. McCormick in the Chair.

When the Committee arose, the Speaker resumed the Chair.

Mr. Smith gave notice he would introduce the following bills on tomorrow or some subsequent day: To dissolve the Bonds of Matrimony existing between Charles Bartholamew and Ester Bartholamew. Also between Geo. C. Howard and Lucy C. Howard. Also between William Gibson and Elizabeth D. Gibson.

On motion of Mr. McCormick, the House adjourned.

TWENTY-EIGHTH DAY

House of Representatives
January 17th, 1865

House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain.

Roll called. Absent: Mr. Smith.

Minutes of last meeting read and approved.

The Committee on Incorporations to whom was referred House Bills Nos. 26 and 68 beg leave to make following report: By referring the said bills back to the House and recommend their passage.

A. E. Mayhew
W. J. McCormick
I. N. Buck

Mr. Smith introduced House Bill No. 69. "An act concerning marks and brands." Read the first time at length and second time by title, and on suspension of Rules, read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, McCormick, Smith, Mr. Speaker — 9.

Nays: Mayhew, Ryan — 2.

There being no objection, the title was agreed to.

Mr. Buck introduced House Bill No. 70. "An act to incorporate the Fort Benton and Kootney Wagon Road Company." Read the first and second times and on suspension of the Rules, read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, Ryan, Smith, Mr. Speaker — 10.

Nays: None.

There being no objection, the title was agreed to.

Mr. Smith introduced House Bill No. 71, "An act to dissolve the Bonds of Matrimony between William Gibson and Elizabeth Gibson." On motion of Mr. Mayhew, the bill was laid on the table by the following vote:

Ayes: Bell, Buck, Faulds, Huffaker, Mayhew, Ryan — 6.

Nays: Courtright, Johnson, Smith, McCormick, Mr. Speaker — 5.

Mr. Smith introduced House Bill No. 72. "An act to dissolve the Bonds of Matrimony existing between Charles Bartholamew and Ester Bartholamew, his wife." Read the first and second times and on motion of Mr. Mayhew, laid on the table, the ayes and nays being called.

Ayes: Bell, Buck, Faulds, Huffaker, Mayhew, Ryan — 6.

Nays: Courtright, Johnson, McCormick, Smith, Mr. Speaker — 5.

Mr. Smith introduced House Bill No. 73, "An act to dissolve the Bonds of Matrimony between George C. Howard and Lucy G. Howard." On motion of Mr. Mayhew, the bill was laid on the table.

Ayes: Bell, Buck, Faulds, Huffaker, Mayhew, Ryan, Mr. Speaker — 7.

Nays: Courtright, McCormick, Johnson, Smith — 4.

The following communication was received from the Council:

Council Chamber
January 17th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that action was had on the following bills:

C. B. No. 27. "An act concerning crimes and punishment." Would respectfully ask your Honorable Body to furnish the Council with a definite statement of the amendments made to said bill.

C. B. No. 2. "An act to locate the seat of government of Montana Territory." Passed January 16th.

C. B. No. 25. "An act to incorporate the North Side Ditch Co." Council refuse to concur in the House amendments to said bill and would respectfully ask that a committee be appointed on part of the House to confer with a like committee on part of the Council in relation to said bill. Messrs. Bagg, Merriman and Worden are appointed said committee on part of the Council.

C. B. No. 45. "To provide increased compensation to officers in this Territory." Amendments to said bill by the House were concurred in by the Council.

C. B. No. 58. "An act to authorize Wm. Chumersero and his associates to maintain a ferry across Sun River." Passed January 14th, 1865.

C. B. No. 65. "An act to incorporate the Excelsior Coal Mining and Manufacturing Co." Passed January 16th.

C. B. No. 71. "An act concerning the construction of statutes." Passed January 16th.

H. B. No. 23. "An act to incorporate the Little Prickley Pear Wagon Road Co." Passed the Council January 16th.

H. B. No. 47. "An act in relation to executors and administrators" was passed by the Council with amendments which are hereby transmitted to the House.

H. B. No. 56. "An act to incorporate the Virginia City Gas Company." Passed January 16th, 1865.

H. B. No. 57. "An act to incorporate the Big Horn Town Association." Passed January 16th, 1865.

H. B. No. 58. "An act for the protection of roads." Passed with an amendment which is herewith transmitted.

H. B. No. 60. "An act concerning guardians and wards." Passed with amendments which is herewith transmitted.

The following notices for the introduction of bills were received by the Council January 16th:

"An act to secure water privileges for mining and mechanical purposes."

"An act granting Nelson M. Parsons the right to maintain a toll road from Nevada City to Red Rock."

"An act to incorporate the Montana Ditch Company."

"An act regulating the fees of officers, jurors, and witnesses."

"An act to create a fund for the benefit of schools."

George A. Haynes
Secretary of Council

Council Bill No. 2, having been read the first and second times, was, on motion of Mr. Smith, laid over for further consideration until Tuesday, January 24th. The ayes and nays being called for.

Ayes: Buck, Courtright, Faulds, Johnson, McCormick, Smith, Mr. Speaker — 7.

Nays: Bell, Huffaker, Mayhew, Ryan — 4.

Council Bill No. 25 having been taken up, the following Conference Committee was appointed on the part of the House to consult with a corresponding number from the Council: Messrs. Faulds, Johnson, Courtright.

Council Bill No. 65, having been read the first and second times, was referred to Committee on Incorporations.

Council Bill No. 71, having been read the first and second times, was referred to Committee on Incorporations.

On motion of Mr. Bell, the House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met agreeable to adjournment. Speaker in the Chair.

Roll called. Absent: Ryan.

The Committee on Judiciary, to whom was referred Council Bill No. 71, beg leave to make the following report: By referring the bill back to the House and recommend its passage.

W. J. McCormick
A. E. Mayhew
I. N. Buck

Mr. McCormick made a motion to reconsider the vote by which House Bill No. 2 was postponed.

Ayes: Bell, Huffaker, McCormick, Mayhew, Ryan — 5.

Nays: Buck, Courtright, Faulds, Smith, Mr. Speaker, Johnson — 6.

The motion was lost.

The following message was received from the Council:

Council Chamber
January 17th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that they have passed the following bills:

C. B. No. 55. "An act to incorporate the Prickley Pear Wagon Road Co."

C. B. No. 61. "An act providing for the collection of revenue."

C. B. No. 66. "An act authorizing Frank H. Moody and C. E. Irvine to establish a ferry or bridge across the Hell Gate River."

C. B. No. 72. "An act to authorize the appointment of Commissioners of Deeds."

Also House Bill No. 67. "An act to incorporate the Beaver Town Co."

All of which is respectfully submitted to the favorable consideration of your Honorable Body.

Geo. A. Haynes
Secretary of Council

The following communication was received from his Excellency, the Governor:

Executive Office
January 17th, 1865

To the Honorable Speaker of the House of Representatives

Sir:

I have this day approved House Bill No. 33 entitled, "An act regulating the holding of elections in Montana Territory."

House Bill No. 44 entitled, "An act for the compensation of David D. Chamberlain for services rendered and money expended."

And House Bill No. 52 entitled, "An act to enable soldiers to hold claims."

Respectfully yours,

Sidney Edgerton
Governor

Council Bill No. 71, having been read the third time, passed.

Ayes: Bell, Buck, Courtright, Huffaker, Johnson, Mayhew, McCormick, Ryan, Smith, Mr. Speaker — 11.

Nays: None.

There being no objection, the title was agreed to.

Council Bill No. 58, having been read the first and second times, was referred to Committee on Incorporations.

Council Bill No. 59, having been read the first and second times, Mr. Bell moved to reject the bill — lost as follows:

Ayes: Bell, Courtright — 2.

Nays: Buck, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Smith, Mr. Speaker — 9.

The Bill was referred to Committee on Incorporations.

Council Bill No. 72, having been read the first and second times, was referred to Committee on Judiciary.

On motion of Mr. Mayhew, a committee of three was appointed to ascertain the nature of bills already passed. Messrs. Mayhew, Bell and Smith were appointed said committee.

The following message was received:

Council Chambers
January 17th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that the following resolution was adopted by the Council:

That a joint committee of three from the Council and three from the House of Representatives be appointed to select a Territorial Seal for the Territory of Montana and to agree upon an appropriate device and motto for the same and that said committee report as soon as practicable.

Also the following resolution:

That the House of Representatives be requested to return immediately to the Council, the bill concerning crimes and punishment together with a correct report of amendments made by the House of Representatives.

Geo. A. Haynes
Secretary of the Council

Council Bill No. 38 was read the first and second times and referred to the Committee on Education.

Council Bill No. 54 was read the first and second times and referred to Committee on Incorporations.

Council Bill No. 66 was read the first and second times and on motion to suspend the Rules, the ayes and noes were called.

Ayes: Bell, Huffaker, McCormick, Mr. Speaker — 4.

Nays: Buck, Courtright, Faulds, Johnson, Mayhew, Ryan, Smith — 7.

Motion lost.

Mr. Buck moved to refer the bill to a special committee — Carried. The Chair appointed Messrs. Buck, Johnson and Bell said committee.

Council Bill No. 55, having been read the first time, Mr. Ryan made a motion to lay the bill on the table. Lost. The bill was then read the second time and, on motion of Mr. Courtright, was referred to a special committee consisting of Messrs. Courtright, Faulds and Ryan.

On motion of Mr. Buck, the House adjourned.

TWENTY-NINTH DAY

House of Representatives
January 18th, 1865

House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain.

Roll called. Absent: Mr. Smith.

Minutes of last meeting read and approved.

The following message was received from the Council:

Council Chamber
January 16th, 1865

Mr. Speaker:

I am instructed by the Council to inform your Honorable Body that they have passed the following bills:

C. B. No. 77. An act to incorporate the Deer Lodge Mining Company.

C. B. No. 76. An act to incorporate the Montana Ditch Co.

C. B. No. 73. An act defining county boundary lines in Montana Territory.

C. B. No. 25. An act to incorporate the North Side Ditch Co.

H. B. No. 55. An act to incorporate the Branden Town Co.

The following notice for the introduction of bills was received by the Council:

An act to incorporate the Missoula Town Co.

An act supplementary to an act entitled, "An act relating to lead, lodes, and ledges."

An act legalizing the acts of certain officers of the County of Jefferson.

Geo. A. Haynes
Secretary Council

The Committee, to whom was referred C. B. 37, have had the same under consideration and beg leave to report the same back to the House with the recommendation that it pass with the following amendments: Strike out all of Section 6 and insert the following: "The sheriffs of the several counties shall be ex officio inspectors of weights and measures."

Also House Bill No. 66 without amendment and recommend its passage.

McCormick
Mayhew
Buck

The Committee on Incorporations, to whom was referred Council Bills Nos. 19 and 54, have had the said bills under consideration, beg leave to report the same back and recommend their passage.

Mayhew
Buck
McCormick

Mr. Speaker: Your committee appointed to confer with a like committee of the Council have agreed to the following amendments to be embodied in said Bill No. 25 in said conference. "All water conveyed in said ditch and not used by said company shall be sold by said company at such price and in such manner as the county commissioners shall regulate and direct."

W. Faulds,
Chairman

Mr. Speaker: Your Joint Committee on Enrollment have examined H. B. No. 23 and H. B. No. 57 and find the same correctly enrolled and have presented the same to the Governor for his approval.

Smith,
Chairman

On motion of Mr. McCormick, the regular order of business was suspended for the purpose of taking up and disposing of H. Bills reported back from committees.

House Bill No. 68 was read the third time and passed.

Ayes: Bell, Buck, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Smith, Mr. Speaker — 9.

Nays: None.

There being no objection, the title was agreed to.

House Bill No. 26 was read the third time and passed.

Ayes: Bell, Buck, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Smith, Mr. Speaker — 10.

Nays: None.

There being no objection, the title was agreed to.

House Bill No. 66 was read the third time and passed.

Ayes: Bell, Buck, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Smith, Mr. Speaker — 10.

Nays: None.

There being no objection to the title, it was agreed to.

House Bill No. 58 was read with the amendments passed by the Council, and the amendments agreed to.

House Bill No. 60 was read with the amendments adopted by the Council, and the amendments agreed to, and the bill ordered enrolled.

Council Bill No. 54 was, on motion of Mr. McCormick, referred back to the Committee on Incorporations.

Council Bill No. 19 was, on suspension of the Rules, read the third time by title and passed.

Ayes: Bell, Buck, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Smith, Mr. Speaker — 10.

Nays: None.

There being no objection, the title was agreed to.

On motion of Mr. Mayhew, a committee of one consisting of Mr. Bell was appointed to collect the amendments to Council Bill No. 27 and report them to the House by 2 o'clock p.m.

Mr. Courtright made a motion to grant leave of absence to the Committee until 2 o'clock p.m. Lost.

Council Bill 37, having been read with the amendment, on motion to adopt the amendments, the ayes and noes were called.

Ayes: Buck, Mayhew, McCormick, Mr. Speaker — 4.

Nays: Bell, Courtright, Faulds, Huffaker, Johnson, Ryan, Smith — 7.

Lost.

The bill was then read a third time and passed.

Ayes: Bell, Courtright, Faulds, Huffaker, Johnson, Mayhew, Ryan, Smith — 8.

Nays: Buck, McCormick, Mr. Speaker — 3.

There being no objection, the title was agreed to.

Council Bill No. 65 was read the third time and passed.

Ayes: Bell, Faulds, Huffaker, Mayhew, McCormick, Ryan, Smith, Mr. Speaker — 8.

Nays: Buck, Courtright, Johnson — 3.

There being no objection, the title was agreed to.

Mr. Mayhew offered the following Resolution. Resolved: By the House of Representatives and the Council concurring, that there shall not be any act of a private nature introduced in either House after the 23 Inst. Resolution adopted.

On motion of Mr. Mayhew, the House appointed a committee of three, consisting of Messrs. Mayhew, McCormick and Bell to confer with a like committee appointed by the Council for the purpose of agreeing upon a design for a Territorial Seal.

On motion of Mr. Courtright, the House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met agreeable to adjournment. Speaker in the Chair.

Roll called. Absent: Mayhew, Ryan.

The following message was received from the Council:

Council Chamber
January 16th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that they have passed the following Bills:

C. B. No. 44, an act to incorporate the Bannack City and Montana Wagon Road Company.

H. B. No. 64, an act to incorporate the Bozeman City and Fort Laramie Wagon Road and Telegraph Company was passed with the following amendment: Strike out the word "fifteen", Line 7, Section 6, and insert the word "ten."

H. B. No. 65, an act to incorporate the Bozeman City and Milk River Wagon Road Co. was passed with the following amendment: Strike out the word "fifteen", Line 7, Section 6 and insert the word "ten."

Geo. A. Haynes
Secretary of Council

Council Bill No. 44, having been read the first and second times, was referred to Committee on Incorporations.

On motion of Mr. Mayhew, the House resolved to suspend action on private bills until the public bills were disposed of, now in possession of the House.

On motion of Mr. Mayhew, the House went into Committee of the Whole House on House Bill No. 18.

Mr. McCormick in the Chair.

When the committee arose in the evening, the House adjourned until tomorrow morning.

THIRTIETH DAY

House of Representatives
January 19th, 1865

House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain.

Roll called. Absent: Mr. McCormick.

Minutes of the last meeting read and approved.

The following message was received from the Council:

Council Chamber
January 19th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that they have passed the following bills:

C. B. No. 60, an act to incorporate the Empire Mining Co.

C. B. No. 67, an act to incorporate the Silver Mountain Mining Co.

C. B. No. 69, an act concerning the location of tunnel claims.

H. B. No. 50, an act to incorporate the Jefferson Mining Co.

The following notice for the introduction of bills was received by the Council, January 18th, 1865:

An act to incorporate the Ashland Gold and Silver Mining Co.

Geo. A. Haynes
Secretary of Council

Mr. Johnson introduced House Bill No. 74, "An act to incorporate the Union Mill and Ditch Company."

Mr. Bell introduced House Bill No. 75, "An act to incorporate and establish the Idaho and Montana Wagon Road Company."

Mr. McCormick introduced House Bill No. 76, "An act to incorporate the Clay Bank Mining Company."

Mr. McCormick introduced House Bill No. 77, "An act to incorporate the Montana Iron Manufacturing Co."

Mr. Mayhew introduced the following resolution. Resolved: That a Committee of three be appointed from the House to confer with a like committee of three from the Council to draft an act regulating the fees of officers, jurors and witnesses. The resolution was adopted, and Messrs. Bell, Mayhew and Smith appointed said committee on the part of the House.

The House took up House Bill No. 18 when the following report was made:

Mr. Speaker: The Committee of the Whole have had House Bill No. 18 under consideration. As Chairman of the Committee of the Whole, I beg leave to report that the Committee have had the same under consideration and recommend that the amendments adopted in the committee, be adopted by the House.

W. J. McCormick
Chairman of Committee

On motion of Mr. Smith, the report of the committee was received. The House then adopted all of the amendments and the bill having been read the third time, passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Smith, Mr. Speaker — 11.

Nays: None.

There being no objection, the title was agreed to.

The committee to whom was referred Council Bill No. 27, beg leave to make the following report. The said bill has been carefully examined by the committee and the amendments to said bill noted and are herewith presented to the House.

F. Bell

The report was received and on motion of Mr. Smith, the committee discharged.

Your committee to whom was referred Council Bill No. 49, report the same back to the House without amendment and recommend its passage.

W. Faulds
I. N. Buck
F. Bell

Council Bill No. 61, having been read at length the first time and second time by title was referred to Committee on Ways and Means.

On motion of Mr. Buck, Mr. Mayhew was excused from attendance during the afternoon.

On motion of Mr. Bell, the House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met agreeable to adjournment. Speaker in the Chair.

Roll called. Absent: Messrs. Courtright and Smith.

The following message was received from the Governor:

Executive Office
January 18th, 1865

To the Speaker of the House of Representatives

Sir:

I have this day signed House Bill No. 23, entitled: "An act to incorporate the Little Prickley Pear Wagon Road Company." Also House Bill No. 57, entitled: "An act to incorporate the Big Horn Town Association."

Respectfully yours,

Sidney Edgerton
Governor

Council Bill No. 55, having been reported back from the special committee with the following amendments: One wagon drawn by two animals, three dollars; for each additional pair, one dollar; for each horseman, fifty cents; for each pack animal, fifty cents; all loose stock, twenty-five cents.

Courtright
Ryan

The special committee to whom was referred Council Bill No. 66, beg leave to state that they have inquired into the facts in reference to the bill and find that it does not conflict with any franchise previously granted by this or any previous legislature and recommend that it pass without amendment.

Buck
Bell

On motion of Mr. Bell, the resolution of the House passed yesterday "to suspend all action on private bills until the public bills now in possession of the House were disposed of" was rescinded.

Council Bill No. 55 was read with the amendments. The amendments were adopted and the committee discharged, and the bill read a third time and passed.

Yeas: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, McCormick, Ryan, Smith, Mr. Speaker — 10.

Nays: None.

There being no objection, the title was agreed to.

Council Bill No. 66, having been read for information, Mr. Johnson moved to amend the bill. Lost as follows:

Ayes: Courtright, Faulds, Johnson, Smith — 4.

Nays: Bell, Buck, Huffaker, McCormick, Ryan, Mr. Speaker — 6.

Mr. Courtright offered the following amendment: "That all tolls be paid in green backs." The ayes and noes being called.

Ayes: Bell, Courtright, Faulds, Johnson — 4.

Nays: Buck, Huffaker, McCormick, Smith, Mr. Speaker — 6.

And the motion was decided lost.

Mr. Johnson offered the following amendment: In Section 3, Line 3, instead of the "15th day of April", say "15th day of March." Amendment agreed to. The bill was then read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, McCormick, Ryan, Smith, Mr. Speaker — 9.

Nays: Mr. Johnson — 1.

There being no objection to the title, it was agreed to.

The Committee on Enrollment have examined House Bills Nos. 55, 56, 58, 64, 65 and 67 and find the same correctly enrolled.

And the above bills have been presented to the Governor for his approval.

Smith,
Chairman

House Bill No. 47, being under consideration with the amendments made by the Council, they were all agreed to except Section 21, in Third Line, after the word "Jury", strike out the word "one" and insert the words "a Jury of six," which was rejected.

Council Bill No. 73, having been read the first and second times, was referred to Committee on Towns and Counties.

On motion of Mr. McCormick, the House adjourned.

THIRTY-FIRST DAY

House of Representatives
January 20th, 1865

House of Representatives met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain.

Roll called. Absent: Faulds, Smith.

Minutes of last meeting read and approved.

The following message was received:

Council Chamber
January 20th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that they have passed the following Bills:

C. B. No. 56, "An act to incorporate the Missouri River Portage and Rail Road Company."

C. B. No. 79, "An act to incorporate the Missoula Town Company."

The following House resolution was adopted by the Council:

Resolved, by the House of Representatives, the Council concurring: That there shall not be any act of a private nature introduced in either House after the 23rd Inst.

Signed
A. E. Mayhew

Messrs. Merriman, Thompson and Bagge were appointed a Committee on part of Council in relation to fees of officers, jurors and witnesses to act in conjunction with a like Committee of the House.

Geo. A. Haynes
Secretary of Council

The Committee on Judiciary to whom was referred H. B. 63, have had the same under consideration and beg leave to report the same back to the House with the recommendation it pass without amendment.

W. J. McCormick
I. N. Buck
A. E. Mayhew

Mr. Buck gave notice he would on some future day, introduce a bill to incorporate the Marias Ferry Co. Also a bill to incorporate the Missouri River Coal Mining Co.

Mr. Ryan introduced House Bill No. 78, "An act incorporating the East Gallatin Town Company", read the first and second times. Mr. Mayhew made a motion to lay the bill on the table. Lost. The bill was then referred to the Committee on Incorporations.

Mr. Ryan introduced House Bill No. 79, "An act incorporating the Gallatin Town Company." Read the first and second times. On suspension of the Rules, the bill was read a third time and passed.

Ayes: Huffaker, Johnson, McCormick, Ryan, Smith, Mr. Speaker — 6.

Nays: Bell, Buck, Courtright, Faulds, Mayhew — 5.

There being no objection, the title was agreed to.

Mr. Bell introduced House Bill No. 80, "An act to authorize Territorial Treasurers and County Treasurers to pay interest on Territorial and County warrants." Read the first and second times and referred to Committee on Ways and Means.

House Bill No. 75, having been read the first and second times, was on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, McCormick, Smith, Mr. Speaker — 8.

Nays: Johnson, Mayhew — 2.

There being no objection to the title, it was agreed to.

House Bill No. 74, having been read the first and second times, the Rules were suspended and the Bill read a third time and passed.

Ayes: Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Smith, Mr. Speaker — 9.

Nays: None.

There being no objection, the title was agreed to.

The Committee on Incorporations, to whom was referred Council Bill No. 54, beg leave to report the same back to the House and recommend its passage.

A. E. Mayhew
W. J. McCormick
I. N. Buck

Council Bill No. 54 was, on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Smith, Mr. Speaker — 11.

Nays: None.

There being no objection, the title was agreed to.

House Bill No. 77, having been read the first and second times, was on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Smith, Mr. Speaker — 11.

Nays: None.

There being no objection, the title was agreed to.

House Bill No. 76 was read the first and second times and referred to Committee on Incorporations.

Mr. Buck moved to reconsider the vote by which House Bill No. 77 was passed. Adopted. On motion of Mr. McCormick, Section 8 of said bill was stricken out. Mr. McCormick moved to suspend the Rules for the purpose of passing the bill. Lost. Mr. Bell moved to refer the bill to the Committee on Incorporations. Lost.

Mr. Mayhew moved to adjourn to 2 o'clock p.m. Carried.

Mr. McCormick appealed from the decision of the Chair. The question being shall the Chair be sustained.

Ayes: Bell, Courtright, Huffaker, Mayhew, Ryan — 5.

The Chair being sustained, the House was adjourned.

AFTERNOON SESSION

House met agreeable to adjournment. Speaker in the Chair.

Roll called. Absent: Messrs. Courtright, Ryan, Smith.

The following message was received from the Governor:

Executive Office
January 20th, 1865

To the Honorable Speaker of the House of Representatives

Sir:

I have this day approved the following House Bills:

No. 55, "An act to incorporate the Branden Town Company." No. 56, "An act to incorporate the Virginia City Gas Company." No. 58, "An act for the protection of roads." No. 64, "An act to incorporate the Bozeman City and Fort Laramie Wagon Road and Telegraph Company." No. 65, "An act to incorporate the Bozeman City and Milk River Wagon Road Company." No. 67, "An act to incorporate the Beaver Town Company."

Respectfully yours,

Sidney Edgerton
Governor

The Committee on Incorporations to whom was referred H. B. No. 25, have had the same under consideration and beg leave to report it back to the House and recommend its passage.

A. E. Mayhew,
Chairman

House Bill No. 77 was, on motion of Mr. Mayhew, referred to a special committee. The Speaker appointed as said committee Messrs. Bell, Buck and Johnson.

Council Bill No. 56, having been read the first and second times, was, on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Mr. Speaker — 9.

Nays: None.

There being no objection to the title, it was agreed to.

Council Bill No. 67, having been read the first and second times, was, on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Mr. Speaker — 10.

Nays: None.

There being no objection, the title was agreed to.

Council Bill No. 79, having been read the first and second times, was, on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Mr. Speaker — 9.

Nays: Courtright — 1.

There being no objection, the title was agreed to.

House Bill No. 63 was read the third time and passed.

Ayes: Bell, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Mr. Speaker — 10.

Nays: None.

There being no objection, the title was agreed to.

House Bill No. 25, having been read at length the third time, passed.

Ayes: Huffaker, Johnson, Mayhew, McCormick, Ryan, Mr. Speaker — 6.

Nays: Buck, Courtright, Faulds — 3.

The House Conference Committee, to whom was referred House Bill No. 2, beg leave to report that the Council have receded from their amendment.

McCormick
Bell

The Committee on Incorporations, to whom was referred House Bill No. 61, beg leave to report the same back to the House and recommend its passage.

A. E. Mayhew
W. J. McCormick
I. N. Buck

House Bill No. 61 was read the third time and passed.

Ayes: Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Smith, Mr. Speaker — 10.

Nays: None.

There being no objection to the title, it was agreed to.

The Committee, to whom was referred House Bill No. 78, beg leave to report the same back to the House with the recommendation that it pass with the following amendments. "That nothing in this act shall be so construed as to authorize said company to take up more than three hundred and twenty acres of land to be selected by the corporation from such lands as are described in Section 2 of this act, unless said company make addition to said town site which may be done by purchase of lands adjoining said town site."

Mayhew
McCormick
Buck

The amendments were agreed to and the Bill read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Smith, Mr. Speaker — 11.

Nays: None.

There being no objection, the title was agreed to.

Mr. Mayhew introduced House Bill No. 81, "An act to incorporate the Bear's Teeth Wagon Road Company." The bill was read the first and second times and on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Smith, Mr. Speaker — 11.

Nays: None.

There being no objection to the title, it was agreed to.

The Committee on Incorporations, to whom was referred House Bill No. 59, beg leave to make the following report: after the last word in Section 2, insert as follows: "Provided that the operations of said incorporation shall not interfere in any respect with water claims already taken up on said creek and recorded in the recorder's office of Beaver Head County, and recommend the adoption of the amendment."

Mayhew
McCormick
Buck

The amendments were agreed to and the bill read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, Ryan, Smith, Mr. Speaker — 10.

Nays: Mr. McCormick — 1.

There being no objection to the title, it was agreed to.

On motion of Mr. Mayhew, House Bill No. 48 was made the special order for tomorrow.

Mr. Bell offered the following Resolution. Resolved: That the Standing Committees of this House be required to report upon all bills in their possession at as early a day as practicable. The resolution was adopted.

Mr. Buck introduced House Bill No. 82, "An act to incorporate the Marias Ferry Company." Read the first and second times and on suspension of Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Smith, Mr. Speaker — 11.

Nays: None.

There being no objection, the title was agreed to.

Mr. Buck introduced House Bill No. 83, "An act to incorporate the Missouri River Coal Company." Read the first and second times and on suspension of the Rules, read a third time and passed.

Ayes: Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, Ryan, Mr. Speaker — 8.

Nays: Bell, McCormick, Smith — 3.

The title was agreed to.

On motion of Mr. Mayhew, the House adjourned.

THIRTY-SECOND DAY

House of Representatives
January 21st, 1865

House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain.

Roll called. Absent: Mr. Johnson.

Minutes of last meeting read and approved.

The following message was received from the Council:

Council Chamber
January 21st, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that they have passed the following bills To Wit:

C. B. No. 82, "An act to incorporate the Bannack Gold and Silver Mining Company."

H. B. No. 26, "An act to incorporate the Pleasant Valley and Dry Creek Canon Wagon Road Company." Was read the first time and rejected.

H. B. No. 51, "An act to regulate proceedings in criminal cases in the courts of justice in Montana Territory," was passed with amendments which are herewith transmitted.

The following notices of bills for introduction were received by the Council January 20th, 1865: "An act to incorporate the Eureka Coal & Manufacturing Co." "An act to incorporate the Virginia City Stock Board of Trade." "An act to incorporate the Willow Creek Town Co."

Geo. A. Haynes
Secretary of Council

The Committee on Incorporations, to whom was referred House Bill No. 59, have had the same under consideration and beg leave to report the same back to the House and recommend its passage.

W. J. McCormick
Mayhew
Buck

The Committee on Judiciary, to whom was referred Council Bill No. 72, have had the same under consideration and beg leave to report it back to the House and recommend its passage.

W. J. McCormick
Mayhew
Buck

A majority of the Committee on Incorporations, to whom was referred Council Bill No. 10, have had the same under consideration and refer the same back to the House and recommend its passage.

Mayhew
Buck
Majority of Committee

A minority of the Committee on Incorporations would ask leave to make

the following report on Council Bill No. 10: That the Legislature have passed two bills, one known as the Rocky Mountain and Missouri River Wagon Road and Telegraph Co., and the other known as the Bozeman City and Fort Laramie Wagon Road Company. That the bills above referred to, authorize said companies to locate and construct bridges and ferries upon the Yellow Stone River at any point that said companies might select between Yellow Stone City on the Yellow Stone River and the mouth of the Big Horn River. That Council Bill No. 10, if passed by the Legislature would conflict with rights already secured to the companies above referred to. For this reason, your Committee would recommend that the bill do not pass.

W. J. McCormick

Your Special Committee to whom was referred House Bill No. 77 have had the same under consideration and beg leave to report that they have examined the bill in reference to the matters submitted and request that Section 1 of said bill be stricken out as being objectionable.

Francis Bell
I. N. Buck
Johnson

On motion, the report of the Committee was received and the Committee discharged.

The Committee on Engrossment have examined House Bill No. 78 and find the same correctly engrossed.

Smith,
Chairman

Mr. Ryan gave notice that he would on some future day, introduce a bill to incorporate the Virginia City and Camas Creek Wagon Road Company. Also to incorporate the Great Western Mining and Manufacturing Company.

Mr. Faulds gave notice he would on some future day introduce a bill to create a fund for the benefit of schools. Also a bill to invest religious societies with certain powers of body corporate.

Mr. Huffaker gave notice that at an early day, he would introduce a bill concerning jails and jailors.

Mr. Bell introduced House Bill No. 84, "An act to incorporate the Ophir Town Company." Read the first and second times and on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Mayhew, Ryan, Smith, Mr. Speaker — 9.

Nays: Johnson — 1.

There being no objection, the title was agreed to.

House Bill No. 85 was introduced by Mr. Bell, "An act to incorporate the East Ophir Town Company," which was read the first and second times. Mr. Mayhew made a motion to lay it on the table. Lost. The Rules having been suspended, the bill was read a third time and passed.

Ayes: Bell, Buck, Faulds, Huffaker, Johnson, McCormick, Ryan, Smith, Mr. Speaker — 9.

Nays: Courtright, Mayhew — 2.

There being no objection, the title was agreed to.

Mr. Bell introduced House Bill No. 86, "An act to incorporate the Town of North Ophir." Read the first and second times. Mr. Mayhew moved to lay the bill on the table. Lost. On motion of Mr. Mayhew, the bill was referred to a special committee consisting of Messrs. Mayhew, Bell and Huffaker.

Mr. McCormick introduced House Bill No. 87, "An act changing the name of Bald Mountain in Beaver Head County." Read the first and second times and on suspension of the Rules, read a third time and lost.

Ayes: Courtright, Huffaker, McCormick, Ryan, Mr. Speaker — 5.

Nays: Bell, Buck, Faulds, Johnson, Mayhew, Smith — 6.

Council Bill No. 59 was, on suspension of the Rules, read a third time. Mr. Bell, by consent of the House, proposed the following amendment: Strike out all of Section 3. Objected to. The bill then passed.

Ayes: Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Smith — 8.

Nays: Bell, Buck, Mr. Speaker — 3.

There being no objection, the title was agreed to.

Mr. Buck made a motion to reconsider the vote by which House Bills Nos. 84 and 85 passed. Lost.

Ayes: Buck, Faulds, Johnson, Mayhew, Smith — 5.

Nays: Bell, Courtright, Huffaker, McCormick, Ryan, Mr. Speaker — 6.

House Bill No. 48 was read for information. On motion of Mr. Mayhew Section 2 was stricken out. On motion of Mr. McCormick, the words "commander in chief" were stricken out and the words "regiments and companies" inserted. On motion of Mr. Bell, the word "three" was inserted between the words "every month", so as to read "every three months". The bill was then read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Mayhew, McCormick, Smith, Mr. Speaker — 9.

Nays: None.

There being no objection, the title was agreed to.

Mr. Huffaker gave notice he would on tomorrow move a reconsideration of the vote by which H. B. 59 passed.

On motion of Mr. Mayhew, the House adjourned to Monday.

THIRTY-THIRD DAY

House of Representatives
January 23rd, 1865

House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain.

Roll called. Absent: Faulds.

Minutes of last meeting read and approved.

The Committee on Incorporations to whom was referred House Bill No. 37, beg leave to report the same back to the House and recommend its passage.

A. E. Mayhew
I. N. Buck

The Joint Committee on Enrollment have examined House Bill No. 60, and find the same correctly enrolled. They have presented the same to the Governor for his approval.

Smith,
Chairman

The Committee on Education to whom was referred Council Bill No. 38 beg leave to make the following report and recommend its passage.

Smith
Bell
Johnson

The Committee to whom was referred Council Bill No. 58 have considered the same and report it back to the House and recommend that it pass with the following amendment: Strike out all of sixth Line after the word "Road" and all of Line seven and insert before the word "miles" in Line 8 the word "four" and between the words "above" and "such" in same Line insert the words "and below."

Mayhew
McCormick
Buck

The Special Committee to whom was referred House Bill No. 86, which bill is for the purpose of incorporating the Town of North Ophir. Your committee find by examination that the said Town has been laid off according to the laws of the United States and that there has been a plat of the Town regularly filed and recorded. Your committee therefore recommend the passage of the bill.

A. E. Mayhew
Francis Bell

Mr. Mayhew introduced House Bill No. 88, "An act incorporating the Gallatin Ferry Co." Read the first and second times and on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Huffaker, Mayhew, McCormick, Ryan, Stuart, Smith, Johnson, Mr. Speaker — 11.

Nays: None.

There being no objection, the title was agreed to.

The following message was received:

Council Chamber
January 21st, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that they have passed the following bills:

C. B. No. 70, "An act to incorporate the Gallatin Valley Ditch Co."

C. B. No. 81, "An act to incorporate the Deer Lodge and Silver Bow Wagon Road Company."

C. B. No. 83, "An act to incorporate the Montana Bridge Co."

C. B. No. 84, "An act to secure certain privileges to Thomas D. Pitt."

C. B. No. 85, "An act to incorporate the Ashland Gold and Silver Mining Company."

C. B. No. 86, "An act to incorporate the Eureka Coal Mining and Manufacturing Co."

C. B. No. 87, "An act to incorporate the Willow Creek Town Company."

H. B. No. 4, "An act to establish a Water Company in Virginia City."

H. B. No. 53, "An act to dissolve the Bonds of Matrimony existing between Homer R. Payne and Adeline Payne."

H. B. No. 2, "An act to incorporate the Virginia City and Summit City Wagon Road Company."

The amendment of Committee of Conference on H. B. No. 2 was concurred in by Council.

In accordance with the wish of the House that the Council recede from their amendments in part to H. B. No. 47, "An act in relation to executors and administrators," the Council have receded from said mentioned amendments.

The Council concurred in House amendments to Council Bills Nos. 55 and 66.

H. B. No. 49, "An act concerning fences", was indefinitely postponed.

Notice for the introduction of a Joint Resolution and Memorial was received January 21st, 1865.

Geo. A. Haynes
Secretary of Council

The Committee on Incorporations to whom was referred C. B. No. 6, report the same back to the House and recommend that it be laid on the table.

Mayhew
McCormick
Buck

Mr. Ryan introduced House Bill No. 89, "An act to incorporate the Virginia City and Camas Creek Wagon Road Company." Read the first and second times and, on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Huffaker, Johnson, McCormick, Stuart, Smith, Mr. Speaker — 9.

Nays: Mayhew — 1.

There being no objection, the title was agreed to.

Mr. Stuart introduced House Bill No. 93, "An act to incorporate the Big Hole River Bridge Co." Read the first and second times and, on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 11.

Nays: None.

There being no objection to the title, it was agreed to.'

Mr. Bell introduced House Bill No. 91, "An act to incorporate the Peter Funk Mining Company." Read the first and second times and, on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Huffaker, Johnson, Ryan, Smith, Stuart — 7.

Nays: Courtright, Mayhew, McCormick, Mr. Speaker — 4.

There being no objection, the title was agreed to.

Mr. Smith introduced House Bill No. 94, "An act to incorporate the Lone Star Company." Read the first and second times and, on suspension of the Rules, read the third time and passed.

Ayes: Bell, Buck, Courtright, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith — 10.

Nays: None.

There being no objection, the title was agreed to.

Mr. Ryan introduced House Bill No. 90, "An act incorporating the Great Western Mining and Manufacturing Co." Read the first and second times and referred to the Committee on Incorporations.

Mr. Stuart introduced House Bill No. 95, "An act incorporating the Deer Lodge Ditch Company." Read the first and second times and referred to Committee on Incorporations.

Mr. Huffaker introduced House Bill No. 92, "An act concerning jails and jailors." Read the first and second times and referred to Committee on Judiciary.

On motion of Mr. McCormick, Council Bill No. 6 was taken up, and on motion of Mr. Buck, the bill was rejected.

Council Bill No. 10 having been called up, was read the third time and on its final passage was lost.

Ayes: Mayhew, Ryan, Mr. Speaker — 3.

Nays: Bell, Buck, Courtright, Huffaker, Johnson, McCormick, Stuart, Smith — 8.

By leave of the House, Mr. Mayhew gave notice that he would on the 27th introduce a bill in relation to partnerships.

Council Bill No. 69, having been read the first and second times, was referred to the Committee on Mines and Minerals.

Council Bill No. 60, having been read the first and second times, was referred to the Committee on Incorporations.

Council Bill No. 82, having been read the first and second times, was referred to Committee on Incorporations.

Mr. Huffaker made a motion to reconsider the vote by which Council Bill No. 59 passed. Motion lost.

On motion of Mr. Mayhew, the House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met. Speaker in the Chair.

Roll called. Absent: Courtright, Johnson, McCormick.

Council Bill No. 84, having been read the first and second times, was, on suspension of the Rules, read a third time and passed.

Ayes: Buck, Courtright, Huffaker, Mayhew, Ryan, Stuart, Smith — 7.

Nays: Bell, Mr. Speaker — 2.

There being no objection, the title was agreed to.

Council Bill No. 86 was read the first and second times and on motion of Mr. Buck, the name of J. C. Buchanan was stricken out. The bill was then referred to the Committee on Incorporations.

Council Bill No. 83 was read the first and second times and on motion of Mr. Stuart, laid on the table.

Council Bill No. 70 was read the first and second times. Mr. Huffaker moved to refer it to a special committee. Carried. Messrs. Huffaker, Buck and Bell were appointed said committee.

Council Bill No. 87, having been read the first and second times, on motion of Mr. Courtright, the name of N. P. Langford was inserted in said bill. Mr. Courtright moved to lay the bill on the table. Lost. On suspension of the Rules, it was read a third time and passed.

Ayes: Bell, Buck, Courtright, Huffaker, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 10.

Nays: None.

There being no objection, the title was agreed to.

Council Bill No. 85, having been read the first and second times, was referred to the Committee on Incorporations.

The following message was received from the Council:

Council Chamber
January 23rd, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that the following resolution was introduced and adopted by the Council January 23rd, 1865, and respectfully ask that the House of Representatives immediately adopt the same.

Resolved, that a Committee of three of the Council be appointed and request that a like number be appointed by the House to consider Council Bill No. 27, an act concerning crimes and punishments. Messrs. Potter, Merriman and Bagg are appointed on part of the Council.

Geo. A. Haynes
Secretary of Council

Mr. Mayhew moved the adoption of the resolution just read from the Council — agreed to — and the following committee was appointed: Messrs. Mayhew, Smith and Bell.

Council Bill No. 81 was read the first and second times and referred to Committee on Incorporations.

Council Bill No. 72 was, on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Huffaker, Johnson, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 10.

Nays: None.

There being no objection, the title was agreed to.

Mr. Stuart introduced H. B. No. 96, "An act to incorporate the Sinni Bridge Co." Read the first and second times and referred to the Committee on Incorporations.

Mr. Buck introduced House Bill No. 97, "An act incorporating the Ophir Ferry Company." Read the first and second times and referred to Committee on Incorporations.

Mr. Buck introduced House Bill No. 98, "An act authorizing Oliver Lotsenhizer to establish a ferry across the Missouri Riv." Read the first and second times and referred to Committee on Incorporations.

On motion of Mr. Courtright, the House adjourned.

THIRTY-FOURTH DAY

House of Representatives
January 24th, 1865

House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain.

Roll called. Absent: Faulds.

Minutes of last meeting read and approved.

The Committee on Mines and Minerals to whom was referred Council Bill No. 69 have had the same under consideration and beg leave to report the same back to the House with the recommendation it pass with the following amendments: Strike all of Section 2 after the word "provided" in Line 6 and insert "That nothing in this act shall be so construed as to impair, infringe or take away any prior rights of any leads, lodes and ledges recorded previous to the preemption of said tunnel claims."

Mr. Stuart moved to reconsider the vote taken yesterday to reconsider House action on Council Bill No. 59. Carried.

Ayes: Bell, Buck, Courtright, Johnson, Ryan, Stuart — 6.

Nays: Huffaker, Mayhew, McCormick, Smith, Mr. Speaker — 5.

Mr. Bell offered a motion to reconsider House action in passing Council Bill No. 59. Decided out of order.

On motion of Mr. Huffaker the House went into Committee of the Whole on House Bill No. 2.

Mr. Huffaker in the Chair.

When the Committee arose, the Chairman made the following report: Mr. Speaker: The Committee of the Whole have had House Bill No. 2 under consideration and beg leave to report the same back with the following amendments: Strike out the word "Virginia" wherever it occurs, and insert the word "Nevada". Also strike out Sections 2, 3 and 4.

Huffaker,
Chairman

Mr. Buck moved to accept the report of the Committee.

The House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met. Speaker in the Chair.

Roll called. Absent: Courtright, Stuart.

House Bill No. 18 was taken up and the amendments made by the Council concurred in, and the bill ordered engrossed.

The following message was received from the Council:

Council Chamber
January 24th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that action was had on the following bills:

C. B. No. 40, "An act creating certain offices" passed January 23rd, 1865.

H. B. No. 18, "An act to regulate proceedings in civil cases" was passed January 23rd with amendments which are herewith transmitted.

H. B. No. 63, "An act to prevent officers from dealing in certain securities" was passed with amendments which are herewith transmitted January 23rd.

H. B. No. 69, "An act concerning marks and brands" was passed with amendments which are herewith transmitted January 23rd.

H. B. No. 75, "An act to incorporate and establish the Idaho and Montana Wagon Road Co." was indefinitely postponed January 23rd.

H. B. No. 79, "An act to incorporate the Gallatin Town Co." was passed without amendments.

Geo. A. Haynes
Secretary of Council

House Bill No. 51 having been taken up, the amendments by the Council were read. The amendments agreed to, and the bill ordered engrossed.

The House then took up Council Bill No. 2. On motion of Mr. Smith, the following amendments reported by the committee were adopted: Strike out the word "Virginia" wherever it occurs and insert instead thereof, the word "Nevada".

Ayes: Buck, Courtright, Faulds, Johnson, Ryan, Stuart, Smith — 7.

Nays: Bell, Huffaker, Mayhew, McCormick, Mr. Speaker — 5.

Mr. Buck moved to strike out Section 2, 3 and 4 as the Committee had reported. Adopted. The Rules were then suspended, and the bill read a third time and passed.

Ayes: Buck, Courtright, Faulds, Johnson, Ryan, Stuart, Smith — 7.

Nays: Bell, Huffaker, Mayhew, McCormick, Mr. Speaker — 5.

There being no objection, the title was agreed to.

Council Bill No. 69, having been read, the amendments were not agreed to. The bill was then read the third time and passed.

Ayes: Bell, Buck, Faulds, Huffaker, Johnson, Mayhew, Ryan, Stuart — 8.

Nays: McCormick, Smith, Mr. Speaker — 3.

There being no objection, the title was agreed to.

The House then took up Council Bill No. 58 with the amendments which were adopted and the bill read a third time and lost.

Ayes: Bell, Johnson, Smith — 3.

Nays: Buck, Courtright, Faulds, Huffaker, McCormick, Ryan, Stuart, Mr. Speaker — 8.

The House excused Mr. Mayhew from attendance during the day.

Council Bill No. 38, having been read with the amendments reported by the committee, the amendments were adopted, and the bill having been read the third time, passed.

Ayes: Bell, Buck, Faulds, Huffaker, Johnson, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 10.

Nays: None.

There being no objection, the title was agreed to.

House Bill No. 86, having been read the third time, passed.

Ayes: Bell, Buck, Faulds, Huffaker, Johnson, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 10.

Nays: None.

There being no objection, the title was agreed to.

Council Bill No. 49, having been read the third time, passed.

Ayes: Bell, Buck, Faulds, Huffaker, Johnson, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 10.

Nays: None.

There being no objection, the title was agreed to.

House Bill No. 77 having been read, Mr. Bell moved to strike out Section 7.

Carried. The bill was then read a third time and passed.

Ayes: Bell, Buck, Faulds, Huffaker, McCormick, Ryan, Smith, Mr. Speaker — 8.

Nays: Johnson, Stuart — 2.

There being no objection, the title was agreed to.

House Bill No. 37 was read the third time and put on its final passage and lost.

Ayes: Bell, Buck, McCormick, Ryan — 4.

Nays: Courtright, Faulds, Huffaker, Johnson, Stuart, Smith, Mr. Speaker — 7.

The House then adjourned.

THIRTY-FIFTH DAY

House of Representatives
January 25th, 1865

House met. Speaker in the Chair. Prayer by the Chaplain.

Roll called. Absent: Mr. Faulds.

Minutes of last meeting read and approved.

The Special Committee to whom was referred C. B. No. 70, have had the same under consideration and find that it does not conflict with any privileges granted, and that the construction of said ditch will be a great benefit to the farming community on the west side of the Gallatin River, and therefore recommend it pass with the following amendments: Strike out all of Line 7, Section 2, to the word "Side" and insert the words "the West". Strike out in Line 9 of same Section the word "each" and insert the words "the West". Strike out in Line 14 of same Section the words "either or both" and insert the words "the West". Strike out half of Line 4 and all of Lines 5, 6, 7, 8, 9 and 10 in Section 16 and insert "which is intended to cover all the high bottoms and table lands fit for farming purposes on the West Side of Gallatin River down to the confluence of the East and main Gallatin Rivers, and when so located shall have the exclusive right to maintain and operate the same." Add Section 17, "That said Company shall complete said ditch by the first day of June 1866, otherwise this charter to be void."

W. Huffaker
I. N. Buck
Francis Bell

On motion of Mr. Bell, the report was received and the committee discharged.

Mr. Speaker: Your Committee of Conference to whom was referred C. B. No. 27, "An act concerning crimes and punishments" ask leave to report that they have had the same under consideration and have agreed to the following amendments: Section 55, Line 2, after the word "being" insert the words "of which he shall have knowledge". Section 127, strike out of House amendment (to this Section) all after the word "year" in 7th Line. House amendments to Sections 58, 60, 61 and 64. Also Council amendments to House amendments to Sections 160, 161 and 162 were agreed to by the Committee.

A. E. Mayhew
Francis Bell
A. J. Smith

On motion of Mr. Buck the report was received and the committee discharged.

The Committee on Judiciary to whom was referred House Bill No. 92 have had the same under consideration and beg leave to report the same back to the House and recommend that it pass without amendment.

McCormick
Mayhew
Buck

Mr. Stuart gave notice that he would on tomorrow introduce a bill "in relation to trout fishing."

The Committee on Engrossment have examined House Bills Nos. 18 and 51, and find the same correctly engrossed.

Ryan,
Chairman

The following message was received from the Council:

Council Chamber
January 25th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that they have passed the following bills:

C. B. No. 91, "An act to incorporate the Stock Exchange and Board of Trade of Virginia City."

C. B. No. 92, "An act to incorporate the Alki Town Company."

C. B. No. 96, "An act to provide the issuing certain legal processes on Sunday."

H. B. No. 68, "An act to incorporate the Rams Horn Toll Road Company" was passed with amendments which are herewith transmitted.

H. B. No. 70, "An act incorporating the Fort Benton and Kootney Wagon Road Company."

Geo. A. Haynes
Secretary of Council

Council Bill No. 40, having been read the first and second times, was referred to the Committee on Towns and Counties.

The following message was received from the Governor:

Executive Office
January 24th, 1865

To the Honorable Speaker of the House of Representatives:

Sir:

I have this day signed House Bill No. 60, "An act concerning guardians and wards."

Respectfully yours,

Sidney Edgerton
Governor

Mr. Buck moved to reconsider the vote by which H. B. 37 was lost. Carried. The bill was then read for information, amended and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Mr. Speaker — 11.

Nays: None.

There being no objection, the title was agreed to.

Council Bill No. 83 was, on motion of Mr. Mayhew, taken from the table and referred to a special committee consisting of Messrs. Mayhew, Stuart and Buck.

The following message was received from the Council:

Council Chamber
January 25th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that House amendments to Council Bill No. 2 were not concurred in by the Council and would respectfully ask that a committee on the part of the House be appointed to confer with a like committee on part of Council in relation to said bill. Messrs. Bagg, Potter and Thompson were appointed on part of Council.

Geo. A. Haynes
Secretary of Council

On motion of Mr. Mayhew a Conference Committee was appointed on the part of the House to confer with the above Committee named by the Council: Messrs. Mayhew, Smith and Ryan, House Committee.

Mr. Faulds introduced House Bill No. 100, "An act to invest religious societies with certain powers of bodies corporate." Read the first and second times, and on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 11.

Nays: None.

There being no objection, the title was agreed to.

Mr. Faulds introduced House Bill No. 101, "An act to create a fund for the benefit of schools." Read the first and second times and, on suspension of the Rules, read a third time and passed.

Ayes: Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith — 10.

Nays: Bell, Mr. Speaker — 2.

There being no objection, the title was agreed to.

Mr. Mayhew called up Council Bill No. 70 which was read with the amendments. The bill and amendments were then recommitted to a special committee consisting of Messrs. Mayhew, Courtright and Huffaker.

House Bill No. 92 was, on suspension of the Rules, read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Stuart, Smith, Mr. Speaker — 11.

Nays: None.

The title of the bill was then changed to Jails and Jailors.

House Bill No. 68 was read with the amendment made by the Council. The House concurred in the amendment.

House Bill No. 63 was read with the amendment made by the Council, and the amendment concurred in.

The House then adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met. Speaker in the Chair.

Roll called. Absent: Mayhew and McCormick.

House Bill 69 was read with the amendments adopted by the Council, and the amendments agreed to and the bill ordered engrossed.

The Committee on Incorporations to whom was referred Council Bill No. 5 have had the same under consideration for a long time and beg leave to report said bill back to the House and recommend its passage with the following amendments: In Section 1 of said bill insert the names William Graham, Granville Stuart, W. W. DeLacy, C. E. Irwin and Chas. S. Bagg.

A. E. Mayhew
W. J. McCormick
I. N. Buck

The amendments were adopted as suggested by the Committee and the bill read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Smith, Mr. Speaker — 11.

Nays: None.

There being no objection, the title was agreed to.

The Joint Committee on Enrollment have examined House Bills Nos. 2, 4, 50 and 53 and find them correctly enrolled and have presented the same to the Governor for his approval.

Smith,
Chairman

Mr. Bell introduced House Bill No. 102, "An act authorizing certain persons to solemnize marriages." Read the first and second times, and on suspension of the Rules, read the third time and passed.

Ayes: Bell, Buck, Faulds, Huffaker, Johnson, Mayhew, McCormick, Smith, Mr. Speaker — 9.

Nays: Courtright, Ryan, Stuart — 3.

There being no objection, the title was agreed to.

Mr. Buck introduced House Bill No. 103, "An act concerning licenses." Read the first and second times and referred to Committee on Ways and Means.

On motion of Mr. Courtright, the House adjourned to tomorrow morning at 10 o'clock.

THIRTY-SIXTH DAY

House of Representatives
January 26th, 1865

House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain.

Roll called. Absent: Smith and Johnson.

Minutes of last meeting read and approved.

The following message was received from the Council:

Council Chamber
January 25th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that action was had on the following bills:

C. B. No. 97, "An act defining the time for Acts and Joint Resolutions to take effect" was passed January 25.

C. B. No. 98, "An act relating to the printing of the Laws and Joint Resolutions of the Council and House of the First Legislative Assembly of the Territory of Montana" was passed January 25th.

C. B. No. 27, "An act concerning crimes and punishments." The report of Committee of Conference appointed to consider said bill was adopted by the Council.

C. B. No. 64, "An act to enable road, ditch, manufacturing and other companies to become bodies corporate."

C. B. No. 95, "An act to incorporate the Eureka Gold and Silver Mining Company." Passed.

H. B. No. 93, "An act to incorporate the Big Hole River Bridge Company."

C. Joint Resolution No. 7, "Tendering the thanks of this Legislative Assembly to the officers and soldiers of the Union Army for services rendered in the field." Passed January 25th, 1865.

Geo. A. Haynes
Secretary of Council

Mr. McCormick presented two petitions of the citizens of Madison County for a division of the County. Referred to the Committee on Towns and Counties.

The Committee on Incorporations to whom was referred House Bills Nos. 76 and 95 beg leave to report that said bills do not pass.

Mayhew
McCormick
Buck

The Committee on Towns and Counties reported back Council Bill No. 73 with amendments, which amendments were adopted.

Mr. Stuart introduced House Bill No. 104, "An act in relation to trout

fishing." Read the first and second times and on suspension of the Rules, read a third time and passed.

Ayes: Buck, Courtright, Faulds, Huffaker, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 9.

Nays: None.

There being no objection, the title was agreed to.

Council Joint Resolution No. 7 was read the first and second times and referred to Committee on Federal Relations.

Council Bill No. 98 was read the first and second times and on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, McCormick, Mayhew, Stuart, Smith, Ryan, Mr. Speaker — 12.

Nays: None.

There being no objection, the title was agreed to.

Council Bill No. 97, having been read the first and second times, was referred to Committee on Judiciary.

Council Bill No. 95 was read the first and second times and on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Faulds, Huffaker, Johnson, Mayhew, Ryan, Mr. Speaker — 8.

Nays: Courtright, McCormick, Stuart — 3.

There being no objection, the title was agreed to.

Council Bill No. 96 was read the first and second times and on suspension of the Rules, read the third time and passed.

Ayes: Bell, Buck, Faulds, Huffaker, Johnson, Ryan, Mayhew, Stuart, Smith, Mr. Speaker — 11.

Nays: McCormick — 1.

There being no objection, the title was agreed to.

Council Bill No. 92 was read the first and second times and on suspension of the Rules, read the third time and passed.

Ayes: Courtright, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 9.

Nays: Bell, Buck, Faulds — 3.

There being no objection, the title was agreed to.

Council Bill No. 76 was read the first and second times and referred to a special committee consisting of Faulds, Johnson, Huffaker.

Council Bill No. 91 was read the first and second times and referred to Committee on Incorporations.

Council Bill No. 97 was reported back from the committee with amendments. On motion of Mr. Mayhew, the bill and amendments were recommended to said committee.

The Committee on Joint Resolutions to whom was referred Council Joint Resolution No. 7 have had the same under consideration and beg leave to report the same back and recommend its passage.

Johnson
Faulds
Courtright

The Committee on Ways and Means have had Council Bill No. 61 under consideration and beg leave to report the same back and recommend its passage, with the following amendments: In Section 4, strike out all of that portion "for taxation of land" and insert "improvements on lands, town, lots, etc." Section 51, Line 5, strike out the word "Specia".

Smith
Ryan
Johnson

The House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met. Speaker in the Chair.

Roll called. Absent: Johnson, Mayhew and Ryan.

Council Bill No. 77 was read the first and second times and on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 10.

Nays: None.

There being no objection, the title was agreed to.

Council Bill No. 64 was, on suspension of the Rules, read the first and second times and referred to a special committee consisting of Messrs. Huffaker, Courtright and Stuart.

Mr. Smith moved a Call of the House. The Speaker ordered the Sergeant-at-Arms to bring in the absentees, Messrs. Johnson and Mayhew.

The following message was received from the Council:

Council Chamber
January 26th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that action was had on the following bills:

C. B. No. 38, "An act establishing a common school system for the Territory of Montana." The Council concurred in all the House amendments to said bill, except the amendment to Section 2, Line 5, striking out "one" mill and inserting "three" mills and would respectfully ask the House to recede from said amendment.

C. B. No. 94, "An act to incorporate the Marysville Town Co." Passed January 24th, 1865.

H. B. No. 37, "An act authorizing Ross Beaumont and Robt. Hill to establish and maintain a toll road from Bannack City to Beaver Head Valley", was rejected January 26th, 1865.

H. B. No. 100, An act to invest religious societies with certain powers of bodies corporate, was rejected January 26th, 1865.

H. B. No. 101, An act to create a fund for schools was rejected January 26th, 1865.

Geo. A. Haynes
Secretary of Council

Council Joint Resolution No. 7 was read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, McCormick, Mayhew, Stuart, Smith, Ryan, Mr. Speaker — 12.

Nays: None.

There being no objection, the Preamble was agreed to.

Council Bill No. 73 was taken up and read with the amendments made by the committee. The amendments were adopted. Mr. McCormick moved to strike out the word "Choteau" before the word "County" and insert "Lewis and Clark." Motion lost. The bill was then read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, Mr. Speaker — 8.

Nays: McCormick, Stuart, Smith — 3.

There being no objection, the title was agreed to.

On motion of Mr. Courtright, the House adjourned.

THIRTY-SEVENTH DAY

House of Representatives
January 27th, 1865

House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain.

Roll called. All present.

Minutes of last meeting read and approved.

The following message was received from the Council:

Council Chamber
January 27th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that action was had on the following bills:

C. B. 15, "An act incorporating the Historical Society of Montana." Amendments of House to said bill were concurred in by the Council January 26th.

C. B. No. 77, "An act to incorporate the Deer Lodge Valley Mining Company." Amendments of House were concurred in by Council to said bill January 26th, 1865.

H. B. No. 7, "An act to Incorporate the Nevada City and Red Rock Wagon Road Company," passed the Council with amendments which are herewith transmitted.

H. B. No. 84, "An act to incorporate the Ophir Town Company," passed the Council January 26th.

H. B. No. 92, "An act concerning Jails and Jailors," passed the Council with amendments which are herewith transmitted.

H. B. No. 82, "An act to incorporate the Marias Ferry Company," passed the Council January 26th, 1865.

Geo. A. Haynes
Secretary of Council

The Committee on Incorporations have examined Council Bills Nos. 81, 85, and H. B. No. 97 and report the same back and recommend their passage.

Mayhew]
McCormick] Committee
Buck]

The Committee on Incorporations to whom was referred Council Bill No. 86 have had the same under consideration and recommend that it pass with the following amendments: Add to Section 7 the following: "Provided that nothing in this act shall be so construed as to enable the corporations to preempt more than one hundred and sixty (160) acres of land in the Territory to each corporation named in the bill."

Mayhew] of
Buck] Committee

The Conference Committee appointed by the Council and House of

Representatives to confer upon the location of the Capitol of Montana Territory have agreed upon Virginia City as such point for said Capitol to be located.

Stuart	Potter]	of
Ryan	Bagg]	Committee
Mayhew]	

The Committee on Incorporations to whom was referred Council Bill No. 44 beg leave to report the same back to the House and recommend it be indefinitely postponed.

Mayhew]	
McCormick]		Committee
Buck]	

Council Bill No. 38 having been read with the following amendment made by the House and returned from the Council, not concurred in, to wit: Striking out the word "one" and inserting the word "three". On motion of Mr. McCormick, the House receded from said amendment.

Council Bill No. 94 having been read the first and second times was, on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Huffaker, Mayhew, McCormick, Ryan, Stuart, Mr. Speaker — 9.

Nays: Faulds, Johnson, Smith — 3.

There being no objection, the title was agreed to.

Council Bill No. 81 was, on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 12.

Nays: None.

There being no objection, the title was agreed to.

Council Bill No. 44 was on motion of Mr. McCormick indefinitely postponed.

Council Bill No. 85 was read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 12.

Nays: None

There being no objection, the title was agreed to.

Council Bill No. 86 having been read with the amendments, reported by the committee, the amendments were agreed to and the bill read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 12.

Nays: None.

There being no objection, the title was agreed to.

The following message was received from the Governor:

Executive Office
January 27, 1865

To the Honorable Speaker
House of Representatives:

Sir:

I have this day signed the following House Bills, Viz:

No. 2, "An act to incorporate the Virginia City and Summit City Wagon Road Co."

No. 4, "An act to establish a water company in Virginia City."

No. 50, "An act to incorporate the Jefferson Mining Co."

No. 53, "An act to dissolve the bonds of matrimony existing between Homer R. Payne and Adeline Payne."

Respectfully yours,

Sidney Edgerton
Governor

House Bill No. 97 having been read the third time, passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 12.

Nays: None.

There being no objection, the title was agreed to.

Council Bill No. 61 having been read the third time with the amendments, the amendments were agreed to and the bill passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 12.

Nays: None.

There being no objection, the title was agreed to.

The House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met. Speaker in the Chair. Roll called. Absent: Huffaker, Stuart.

The following message was received from the Council:

Council Chamber
January 27th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that action was had on the following bills, Viz:

House Bill No. 81, "An act to incorporate the Bears Teeth Wagon Road Company" was passed with amendments which are herewith transmitted.

H. B. No. 77, "An act to incorporate the Montana Iron Manufacturing Co." Passed Jany. 27th.

H. B. No. 78, "An act to incorporate the East Gallatin Town Co." was passed with amendments which are herewith transmitted.

H. B. No. 88, "An act to incorporate the Gallatin Ferry Company", was passed with amendment which is herewith transmitted.

H. B. No. 104, "An act in relation to trout fishing" was passed with an amendment which is herewith transmitted.

George A. Haynes
Sect. of Council

House Bill No. 104 having been read with the amendments adopted by the Council, the amendments were agreed to and the bill ordered engrossed.

House Bill No. 81 having been read with the amendments made by the Council, the amendments were concurred in and the bill ordered engrossed.

House Bill No. 88 was read with the amendments made by the Council.

On motion of Mr. McCormick, the bill and amendments were referred to a Conference Committee consisting of Messrs. McCormick, Bell and Courtright.

House Bill No. 78 was read with the amendments made by the Council. The House refused to concur in the amendments.

On motion of Mr. Mayhew the bill and amendments were referred to the last named Conference Committee on H. B. No. 88.

On motion of Mr. Buck, Council Bill No. 2 was taken up.

On motion of Mr. Mayhew recommitted to the Conference Committee, the same that reported on it in the morning.

On motion of Mr. Courtright, the House adjourned.

THIRTY-EIGHTH DAY

House of Representatives
January 28th, 1865

House met. Speaker in the Chair. Prayer by the Chaplain. Roll called. All present.

Minutes of last meeting read and approved.

The Committee on Enrollment have examined H. B. No. 7 and find the same correctly enrolled and have presented the same to the Governor for his approval.

Smith,
Chairman

The undersigned, a majority of the Committee of Conference appointed to take into consideration C. B. No. 2, "An act locating the seat of government of Montana Territory," and the House amendments thereto, beg leave to report that they have had the same under consideration and have agreed to the passage of the said bill without amendment, and that the House of Representatives be requested to recede from the amendments made by said House.

A. S. Potter] from the
Chas. L. Bagg] Council

A. E. Mayhew] from the
P. Ryan] House

On motion of Mr. Buck, further time (until Monday morning) was given the minority of said committee on C. B. No. 2 to make their report.

On motion of Mr. Mayhew, the House reconsidered their action on C. B. No. 94 by the following vote:

Ayes: Bell, Courtright, Faulds, Huffaker, Johnson, Mayhew, Ryan, Smith — 8.

Nayes: Buck, McCormick, Stuart, Mr. Speaker — 4.

On motion of Mr. Mayhew, the bill was then referred to a Select Committee with authority to send for persons and papers. Messrs. Smith, Faulds, and Stuart were appointed said committee.

The Committee of Conference to whom was referred H. B. No. 88 have investigated the matters in said bill which was so referred and beg leave to report that the Council have receded from their amendments except their amendment to Section 3 and the committee recommend that the time for which said franchise shall be granted be reduced to the term of eight years.

McCormick] for the
Bell and] House
Courtright]

Potter and] for the
Leavitt] Council

On motion of Mr. McCormick, the report of the committee was received and the committee was discharged. The reported amendment was adopted.

On motion of Mr. Buck, the House adjourned to Monday.

THIRTY-NINTH DAY

House of Representatives
January 30th, 1865

House met. Speaker in the Chair. Prayer by Chaplain. Roll called.
Absent: Faulds, Johnson.

Minutes of last meeting read and approved.

The Committee on Judiciary to whom was referred C. B. 97 have had the same under consideration and beg leave to report the bill back to the House and recommend its passage without amendments.

McCormick]	
Mayhew]	Committee
Buck]	

The Committee on Incorporations to whom was referred Council Bill No. 82, have had the same under consideration and refer the same back to the House and recommend its passage, after striking out the 9th and 10th Sections.

Mayhew
McCormick
Buck

The following message was received from the Council:

Council Chamber
January 28th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that action was had on the following bills, Viz:

C. B. 73, "An act defining boundary lines of counties in Montana Territory." Amendments of House to said bill were not concurred in by the Council and a committee of three were appointed to confer with a like committee from the House to consider said bill. Messrs. Merriman, Bagg and Worden were appointed said committee on the part of the Council.

C. B. No. 93, "An act to incorporate the Helena Ditch Company passed January 27th."

H. B. No. 25, "An act authorizing A. Sullivan and H. D. Weed to construct and maintain a toll road in Beaver Head County" was indefinitely postponed January 25th, 1865.

H. B. No. 74, "An act to incorporate the Missouri River Coal Mining Company" was passed with amendments which are herewith transmitted.

H. B. No. 91, "An act to incorporate the Peter Funk Mining Company" was passed with amendments which are herewith transmitted.

H. B. No. 102, "An act authorizing certain persons to solemnize marriages." A substitute was made for said bill and passed January 27th, 1865.

Geo. A. Haynes
Secretary of Council
January 30th, 1865

The following Joint Resolution passed the Council January 28th:

Resolved, by the Legislative Council, the House concurring, that his Excellency, the Governor, be requested to return C. B. No. 55 to the Council.

Geo. A. Haynes
Secretary of Council

Council Chamber
January 27th, 1865

Mr. Speaker:

The following Resolution passed January 27th, 1865:

Resolved by the Legislative Council of the Territory of Montana that the House of Representatives be requested to recede from their amendments to C. B. No. 2, "An act locating the Capitol of Montana Territory."

Geo. A. Haynes
Secretary of Council

On motion of Mr. Stuart, a Conference Committee was appointed on the part of the House consisting of Messrs. Stuart, Courtright, Bell to meet a like Committee on the part of the Council to consider the amendments to C. B. No. 73.

A majority report of the Special Committee on Council Bill No. 64. We beg leave to make a majority report in favor of rejecting the bill.

Jas. Stuart
M. Courtright

The following message was received from the Governor.

Executive Office
January 30th, 1865

To the Honorable Speaker of the
House of Representatives

Sir:

I have this day signed House Bill No. 7, entitled "An act to incorporate the Nevada City and Red Rock Wagon Road Company."

Respectfully yours,

Sidney Edgerton
Governor

Mr. Speaker:

The minority of your Committee upon the location of the Capitol are unable to agree and as one of that Committee, I beg leave to offer the following Joint Resolution and also to hand in the report of the other minority member of the Joint Committee.

Respectfully,

Jas. Stuart
Committee of Conference

Mr. Speaker:

As one of the Committee to whom was reported Council Bill No. 64.

have had the same under consideration and find that it is a good bill and recommend it back without amendment to the consideration of the House with the recommendation it pass.

Huffaker,
Chairman of Committee

Mr. Speaker:

As a member of the Committee of Conference upon the part of the Council upon the bill to locate the Capitol, I beg leave to submit a minority report. In the opinion of a minority of the committee the beautiful valley of the Jefferson at a point near the thriving town of Missoula is the most appropriate place for the location of the Capitol of our rapidly growing Territory. This town is central to all the mining camps now being worked in the Territory, at the crossing of two important roads, in the midst of an agricultural section unparalleled for fertility of soil and irrigating facilities, and the point named is in the opinion of the minority of the committee at some future day bound not only to be the political but the commercial Capitol of this Territory. All of which is most respectfully submitted.

Thompson
of Conference Committee
on Council Bill No. 2

Preamble and Joint Resolution upon the location of the Capitol.

Whereas great diversity of opinion prevails in the minds of the members of the Legislative Assembly concerning the location of the Capitol. Therefore, be it resolved by the House of Representatives the Council concurring.

That the Capitol be and is hereby located at Virginia City, Madison County. Provided however that before such location the question shall be submitted to the vote of the people of the Territory at the next General Election to be held in September next, at which there shall be written or printed on each ballot "Shall the Capitol be located at Virginia City" and as many as favor that location may vote "yes" and those who are opposed to such location may vote "no" and it shall be the duty of the Judges of said election to make a true and correct return of said vote to the proper officer, and if it shall appear that a majority of said votes are in favor of said location, then this resolution shall be in full force and the Capitol shall be located at Virginia City, but if it shall appear that a majority of said votes are against said location, then this resolution shall be of no effect. Provided further that nothing in this resolution shall illegalize any vote or ballot cast of said election which does not contain the words "shall the Capitol be located at Virginia City." The foregoing Preamble and Joint Resolution was laid before the House by Mr. Stuart.

Mr. Mayhew made a motion to table the report of the minority of the committee on Council Bill No. 2 and also the Preamble and Joint Resolution. Lost.

Ayes: Bell, Buck, Huffaker, Mayhew — 4.

Nays: Courtright, Faulds, Johnson, McCormick, Ryan, Stuart, Smith; Mr. Speaker — 8.

On motion of Mr. McCormick, the reports from the Committee of Conference were received and the committee discharged.

Mr. Ryan introduced House Bill No. 105, "An act concerning line

fences." Read the first and second times and referred to Committee on Agriculture.

Mr. McCormick moved to take up the Resolution of the Council asking the House to recede from its amendments to Council Bill No. 2. Lost.

Ayes: Bell, Buck, Huffaker, Mayhew, McCormick, Ryan — 6.

Nays: Courtright, Faulds, Johnson, Stuart, Smith, Mr. Speaker — 6.

The following Resolution from the Council was adopted:

Resolved by the Legislative Assembly, the House concurring, that his Excellency, the Governor be requested to return C. B. No. 55 to the Council.

The Joint Committee on Enrollment have examined H. B. No. 68 and 69 and find the same correctly enrolled and have presented the same to the Governor for his signature.

Smith,
Chairman

Council Bill No. 97 was read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, McCormick, Stuart, Mr. Speaker — 9.

Nays: Mayhew, Ryan — 2.

There being no objection, the title was agreed to.

Council Bill No. 82 having been read with the amendments reported by the committee. The amendments striking out Sections 9 and 10 were agreed to, and the Rules being suspended, the bill was read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Mayhew, McCormick, Ryan, Mr. Speaker — 9.

Nays: Johnson, Stuart — 2.

There being no objection, the title was agreed to.

The House refused to concur in the Council amendments to H.B. No. 91 and the clerk was instructed to request the Council to recede from the same.

The House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met. Speaker in the Chair. Roll called. Absent: McCormick, Ryan, Smith.

Mr. Mayhew presented the petition of the citizens of Gallatin Valley in relation to Ditch Company. Referred to select committee having the bill relating thereto in charge.

House Bill No. 83 having been called up, the House refused to concur in the amendments of the Council.

Council substitute for House Bill No. 102 having been called up, the House refused to accept it. On motion of Mr. Johnson, the vote was reconsidered and the House adopted the substitute.

Mr. Buck introduced House Bill No. 106, "An act defining the Judicial

Districts of Montana Territory." Read the first and second times and referred to Committee on Judiciary.

Council Bill No. 64 was read the third time and on its final passage was lost.

Ayes: Mayhew, Ryan, Smith, Mr. Speaker — 4.

Noes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, McCormick, Stuart — 8.

On motion, the House adjourned.

FORTIETH DAY

House of Representatives
January 31st, 1865

House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain. Roll called. Absent: McCormick, Ryan.

Minutes of the last meeting read and approved.

The Select Committee appointed by the House to act in conjunction with the like committee of the Council for the purpose of ascertaining the number of bills and their nature that have passed both Houses of the Legislature and that have been approved by the Governor beg leave to make their report which is herewith respectfully submitted.

Mayhew, Chairman of
House Committee

The Select Committee to whom was referred Council Bill No. 76 beg leave to report the same back and recommend its passage with the following amendments. Strike all after the word "creek" in the 8th Line in Section 2, and all before the word "in", same Section and insert the following between No. 3 and 4 "below the mouth of Dry Gulch." Also add to Section 3, "provided it does not interfere with prior rights."

Faulds]
Huffaker] Committee
Johnson]

The report was referred back to the Committee;

Council Bill No. 2 being under consideration, Mr. Mayhew made a motion to recede from House amendments to Council Bill No. 2. Carried. The ayes and noes being called resulted as follows:

Ayes: Bell, Buck, Huffaker, Mayhew, McCormick, Ryan, Mr. Speaker — 7.

Nays: Courtright, Faulds, Johnson, Stuart, Smith — 5.

The following message was received from the Council.

Council Chamber
January 31st, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that action was had on the following bills:

H. B. No. 61, "An act to incorporate the North Mill Creek Ditch Company" was passed with following amendment: After Section 2, add proviso as follows: "Provided that at all times there shall be a sufficient amount of water left to run in said mill creek for the reasonable use of the occupants upon said stream below the point where the water is taken out."

H. B. No. 85, "An act to incorporate the East Ophir Town Company," was passed with the following amendments: Section 1st add to the list of corporations the names of Geo. A. Haynes, John Ryan and Thos. Hosford. Also after Section 3, add Section 4. "Nothing in this act shall be so construed as to allow said company to preempt more land than they are entitled to by the individual rights of each person belonging to said

company when incorporated according to the preemption laws of the United States and the law of this Territory declaratory of the rights of the occupant of the Public Domain."

The following resolution also passed January 30, 1865:

Resolved, by the Council and House of Representatives that the Joint Resolution of the Council and House of Representatives relating to the introduction of private bills be and the same is hereby repealed.

Geo. A. Haynes
Secretary of Council

The House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met. Speaker in the Chair. Roll called. Absent: McCormick, Courtright.

House Bill No. 85 was read with the amendments made by the Council and the amendments agreed to and the bill ordered engrossed.

House Bill No. 61 was considered with the amendments made by the Council. The amendments were adopted and the bill ordered engrossed.

The Resolution of the Council receding from the Joint Resolution of both Houses in relation to the introduction of private bills, was on motion of Mr. Mayhew laid on the table.

The House adjourned.

FORTY-FIRST DAY

House of Representatives
February 1st, 1865

House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain. Roll called. Absent: Faulds, Ryan, Smith.

Minutes of the last meeting read and approved.

Mr. McCormick presented the petition of citizens of Montana Territory in relation to Quartz Lode Law. Referred to Committee on Mines and Minerals.

On motion of Mr. McCormick the House took up the Council Resolution laid on the table yesterday in relation to private bills. The House adopted the resolution.

Mr. Ryan introduced House Bill No. 107, "An act to incorporate the Ionia Gold Silver Mining Company." Read the 1st and 2nd times and referred to the Committee on Incorporations.

The following message was received from the Governor.

Executive Office
February 1st, 1865

To the Honorable Speaker of the
House of Representatives

Sir:

I have this day approved House Bill No. 60, "An act to incorporate the Rams Horn Toll Road Company." Also:

House Bill No. 69 entitled "An act concerning marks and brands."

Respectfully yours,

Sidney Edgerton
Governor

The Committee on Incorporations to whom was referred House Bill No. 90 have had the same under consideration and beg leave to report the same back to the House for such action as they may see fit to take upon it.

A. E. Mayhew]
W. J. McCormick] Committee
I. N. Buck]

Council Chamber
February 1st, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that action was had on the following bills, Viz:

C. B. No. 100, "An act concerning divorce and alimony." Passed the Council January 31st.

H. B. No. 59, "An act to incorporate the Beaver Head Ditch Company," was passed with amendments which are herewith transmitted.

H. B. No. 75, "An act to incorporate and establish the Idaho and Montana Wagon Road Company," passed with amendments which are herewith transmitted.

H. B. No. 86, "An act to incorporate the Town of North Ophir," was passed by the Council January 31st, 1865.

Geo. A. Haynes
Secretary of Council

On motion of Mr. Ryan, House Bill No. 90 was laid on the table.

House Bill No. 59 having been read with the amendments made by the Council, the House refused to concur in the amendments.

House Bill No. 75 having been read with the amendments made by the Council, the amendments were agreed to and the bill ordered engrossed.

Council Bill No. 100 having been read the first and second times was referred to Committee on Judiciary.

The House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met. Speaker in the Chair. Roll called. Absent: Faulds, Johnson, McCormick, Stuart.

The following report of committee was received:

Mr. Speaker:

The following members of the Joint Committee of Conference on C. B. No. 73, "An act defining the boundary lines of counties in this Territory" beg leave to report as follows, To Wit: Add to Section 4 "And the county seat of Madison is hereby located at Virginia City." Also strike out in last line of Section 6 the word "Edgerton" and insert the word "Silver". And leave the whole of Section 5 as in the original bill without the amendments as proposed by the House. Also add the following to Section 10 "that the people of the several counties in this Territory at the first General Election to be held in the Territory may by vote, locate the County Seat of their respective counties." Also add the following Section 11, "this act to take effect and be in force from and after its passage." And ask that the bill pass.

Merriman]	
Bagg	]	Council
Worden	]	Committee

Stuart]	
Bell	]	House
Courtright	]	Committee

On motion of Mr. Stuart, the report was received and the Committee discharged, and the House adopted the report.

Mr. Buck introduced House Bill No. 108, "An act to incorporate the Ottawa Mining Company." Read the 1st and 2nd times and referred to Committee on Incorporations.

Mr. Bell introduced House Bill No. 109, "An act to incorporate the Ophir Manufacturing and Lumbering Company." Read the first and second times and referred to Committee on Incorporations.

Mr. McCormick introduced House Bill No. 110, "An act to incorporate

the Madison County Mining Company." Read the first and second times, and on suspension of the Rules, read the third time and passed.

Ayes: Bell, Buck, Courtright, Huffaker, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 10.

Nays: None.

There being no objection, the title was agreed to.

Mr. Buck introduced House Bill No. 111, "An act concerning the foreclosures of mortgages." Read the first and second times and on suspension of the Rules, read the third time and passed.

Ayes: Bell, Buck, Huffaker, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 9.

Nays: Courtright — 1.

There being no objection, the title was agreed to.

Mr. Mayhew introduced the petition of Margaret J. Wright asking to be divorced from Henry C. Wright. Read, and referred to the Judiciary Committee.

The Joint Committee on Enrollment have examined House Bills Nos. 63, 70, 77, 79, 81, 82, 84, 92, 93 and 104 and find the same correctly enrolled, and have presented the same to the Governor for his approval.

Smith]
Stuart] Committee

On motion of Mr. Courtright, the House adjourned to 10 o'clock tomorrow morning.

FORTY-SECOND DAY

House of Representatives
February 2nd, 1865

House met agreeable to adjournment. Prayer by the Chaplain. Roll called. Absent: Bell.

Minutes of last meeting read and approved.

The Committee on Incorporations have had House Bills Nos. 107 and 108 under consideration and beg leave to report the same back and recommend their passage.

A. E. Mayhew
W. J. McCormick
I. N. Buck

House Bill No. 112 was introduced by Mr. Mayhew, "An act concerning fugitives from justice." Read the first and second times and on suspension of the Rules, was read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 11.

Nays: None.

There being no objection, the title was agreed to.

Mr. Mayhew introduced House Bill No. 113, "An act for the compensation of Walter W. DeLacy for services rendered the Territory." Read the first and second times and on suspension of the Rules, read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Huffaker, Mr. Speaker — 12.

Nays: None.

There being no objection, the title was agreed to.

Mr. Stuart introduced H. B. 114, "An act to incorporate the Silver Bow Ditch Company." Read the first and second times and on suspension of the Rules, read the third time and passed.

Ayes: Bell, Buck, Courtright, Huffaker, Faulds, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 12.

Nays: None.

There being no objection, the title was agreed to.

On motion of Mr. Mayhew, a committee of conference was appointed on the part of the House to confer with a like committee on the part of the Council to consider the amendments to House Bills Nos. 83 and 91.

Messrs. Mayhew, Huffaker, and Courtright were appointed said committee.

On motion of Mr. Mayhew, C. B. No. 74 was made the special order for tomorrow at 2 o'clock p.m.

On motion of Mr. Mayhew, C. B. No. 31 was made the special order for this afternoon at 2 o'clock in Committee of the Whole.

Council Bill No. 62 was read the first and second times and on suspension of the Rules, read the third time and passed.

Ayes: Buck, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 10.

Nays: Bell, Courtright — 2.

There being no objection, the title was agreed to.

Council Joint Resolution No. 7 relating to the codification of the laws. Read the first and second times and on suspension of the Rules, read a third time and passed.

Ayes: Bell, Courtright, Faulds, Huffaker, Johnson, Mayhew, Ryan, Stuart, Mr. Speaker — 9.

Nays: Buck, McCormick, Smith — 3.

There being no objection, the title was agreed to.

Council Bill No. 108 was read the first and second times and on suspension of the Rules, on motion of Mr. Courtright, the name of A. Ackerman was added to the number of incorporators and trustees. Adopted. The bill was then read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 12.

Nays: None.

There being no objection, the title was agreed to.

Council Bill No. 107 was read the first and second times and on suspension of the Rules, was read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 12.

Nays: None.

There being no objection to the title, it was agreed to.

Council Bill No. 90 was read the first and second times and referred to Committee on Incorporations.

Council Bill No. 106 was read the first and second times and on motion of Mr. Buck, the bill was returned to the Council for engrossment.

Council Bill No. 101 was read the first and second times and referred to Committee on Judiciary.

House Bill No. 108 having been read the third time, passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, McCormick, Ryan, Stuart, Mr. Speaker — 10.

Nays: Mayhew, Smith — 2.

There being no objection, the title was agreed to.

House Bill No. 107 was on suspension of the Rules, read the third time and passed.

Ayes: Bell, Buck, Faulds, Huffaker, McCormick, Ryan, Mr. Speaker — 7.

Nays: Courtright, Mayhew, Stuart, Smith—4.

There being no objection, the title was agreed to.

House Bill No. 106 was read with the amendments, the amendments were adopted and the bill ordered engrossed.

House Bill No. 89 was read with the amendments made by the Council, the amendments were adopted and the bill ordered engrossed.

The Judiciary Committee to whom was referred H. B. No. 106 beg leave to report the same back to the House with the following amendments: Strike out Section 8 and insert the following: "The terms of the 3rd Judicial District shall be held at the County Seats as follows: 'In the County of Edgerton on the first Monday in June and on the first Monday in November and the Counties of Big Horn, Dawson and Choteau are hereby attached to Edgerton for Judicial purposes'."

A. E. Mayhew
W. J. McCormick
I. N. Buck

The amendments were agreed to, the Rules being suspended, the bill was read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Smith, Mr. Speaker—10.

Nays: None.

There being no objection, the title was agreed to.

The House adjourned to 2 o' clock p.m.

AFTERNOON SESSION

House met. Speaker in the Chair. Roll called. Absent: Johnson, Ryan, Smith.

House Bill No. 115 was introduced by Mr. McCormick, "An act to provide compensation for Harry Burns in preparing civil and commerical code for Montana Territory." Read the first and second times and referred to Committee on Ways and Means.

The following message was received from the Council:

Council Chamber
February 2nd, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that action was had on the following bills, Viz:

C. B. No. 105, "An act to incorporate the Upper Missouri River Steam Boat Navigation Company." Passed February 2nd, 1865.

C. B. No. 112, "An act to incorporate the City of Nevada." Passed February 1st.

The Council receded from their amendments to H. B. No. 59 this day.

Geo. A. Haynes
Secretary of Council

Council Bill No. 93 was read the first and second times and referred to Committee on Incorporations.

The House then went into Committee of the Whole on Council Bill No. 31.

Mr. Mayhew in the Chair.

When the Committee arose, the Speaker took the Chair.

The following message was received from the Council:

Council Chamber
February 2nd, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that action was had on the following bills, Viz:

C. B. No. 62, "An act to provide for the compensation of B. B. Burchett for services rendered the Territory," passed February 1st.

C. B. No. 74, "An act to increase the number of members in the Council and House of Representatives, and to apportion the Territory of Montana into Council and Representative Districts", passed February 1st, 1865.

C. B. No. 82, "An act incorporating the Bannack Gold and Silver Mining Company." The amendments of the House were concurred in by the Council February 1st.

C. B. No. 31, "An act relating to Counties and County Officers", passed February 1st.

C. B. No. 106, "An act to incorporate the Stinking Water Ditch Company", passed February 1st.

C. B. No. 107, "An act incorporating the Silver Bow Town Company", passed February 1st.

C. B. No. 90, "An act to incorporate the Montana Quicksilver Company", passed February 1st.

C. B. No. 101, "An act to provide for stay of procedure on foreign indebtedness", passed January 31st.

C. B. No. 108, "An act to change the name of the town of Montana City to Prickly Pear, and to incorporate the same", passed February 1st.

C. J. R. No. 8, relating to the codification of laws, passed February 1st.

The Council refused to recede from their amendments to House Bill Nos. 91 and 83 and appointed Messrs. Thompson and Potter a Committee on part of Council and would respectfully request that a like committee of same number be appointed on the part of the House to confer in relation to said bills.

H. B. No. 66, "An act concerning limitations", passed with amendments which are herewith transmitted.

H. B. No. 89, "An act to incorporate the Virginia City and Camas Creek Wagon Road Company" passed with amendments which are herewith transmitted.

H. B. No. 97, "An act to incorporate the Ophir Ferry Company", passed February 1st.

Notice of a bill to incorporate the Madison County Coal Company was received February 1st.

Geo. A. Haynes
Secretary of Council

The House adjourned until tomorrow.

FORTY-THIRD DAY

House of Representatives
February 3rd, 1865

House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain. Roll called. All present.

Minutes of last meeting read and approved.

The Committee on Incorporations to whom was referred C. B. No. 93 have had the same under consideration and report it back with the following amendment and recommend its passage. Strike out the name of Samuel Dearduff, James R. Maline and Albert Young and insert instead thereof the names of G. J. Word, J. Wells and Edward Whitcomb. Strike out of Section 3, Line 3 the word "six" and insert "ten".

A. E. Mayhew]	
McCormick]	Committee
Buck]	

The Conference Committee to whom was referred House Bill No. 78 beg leave to report the same back and recommend the House adopt the amendments made by the Council.

W. J. McCormick,
Chairman

On motion of Mr. Buck, the report of the committee was received and the committee discharged.

The House then adopted the amendments made by the Council.

The Committee on Engrossment have examined H. B. No. 106 and report the same correctly engrossed.

P. Ryan,
Chairman

The Committee on Judiciary to whom was referred C. B. No. 100 have had the same under consideration and beg leave to report the same back to the House and recommend that it pass.

W. J. McCormick]	
Mayhew]	Committee
Buck]	

House Bill No. 116 was introduced by Mr. McCormick, "An act to dissolve the bonds of matrimony between Henry C. Wright and Margaret Wright". Read the first and second times and referred to a special committee consisting of Huffaker, Courtright and McCormick.

Mr. McCormick introduced House Bill No. 117, An act; supplementary to an act entitled "An act to provide increased compensation to officers of this Territory." Read the first and second times and on suspension of the Rules read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, McCormick, Mayhew, Ryan, Stuart, Smith, Mr. Speaker — 12.

Nays: None.

There being no objection, the title was agreed to.

The Joint Committee on Enrollment have examined House Bill No. 47 and the Committee have sent the same to the Governor for his signature.

Smith,
Chairman

Council Bill No. 105 having been read the first and second times was, on suspension of the Rules, read the third time and passed.

Ayes: Bell, Buck, Faulds, Huffaker, Johnson, McCormick, Mayhew, Ryan, Stuart, Smith, Mr. Speaker — 11.

Nays: None.

There being no objection, the title was agreed to.

Council Bill No. 112. The Rules having been suspended, read the first and second times by title. On motion of Mr. Mayhew Section 3, Article 1st was ordered stricken out of the bill. The Rules being again suspended, the bill was read a third time by title and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 11.

Nays: Mr. Buck — 1.

There being no objection, the title was agreed to.

Council Bill No. 113 having been read the first and second times was, on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, Mr. Speaker — 8.

Nays: McCormick, Ryan and Stuart — 3.

There being no objection, the title was agreed to.

Council Bill No. 106 having been read the first and second times was, on suspension of the Rules, read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Stuart, Smith, Mr. Speaker, Ryan — 12.

Nays: None.

There being no objection, the title was agreed to.

Council Bill No. 122 was read the first and second times and, on suspension of Rules, read the third time and passed.

Ayes: Bell, Buck, Faulds, Huffaker, Johnson, McCormick, Mayhew, Ryan, Smith, Mr. Speaker — 10.

Nays: Courtright and Stuart — 2.

There being no objection, the title was agreed to.

Council Bill No. 102 having been read the first and second times was referred to Committee on Incorporations.

On motion of Mr. Stuart, the House requested the Committee on Incorporations to return House Bill No. 86 to the House. The Committee returned the bill.

Council Bill No. 103 was read the first and second times and, on suspension of the Rules, read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 12.

Nays: None.

There being no objection, the title was agreed to.

Council Bill No. 104 was read the first and second times and, on suspension of the Rules, read the third time and passed.

Ayes: Bell, Courtright, Faulds, Johnson, McCormick, Mayhew, Ryan, Stuart, Smith, Mr. Speaker — 10.

Nays: Buck, Huffaker — 2.

There being no objection, the title was agreed to.

House Bill No. 86 having been read the third time, passed.

Ayes: Bell, Buck, Courtright, Huffaker, Johnson, McCormick, Mayhew, Stuart, Ryan, Smith, Mr. Speaker, Faulds — 12.

Nays: None.

There being no objection, the title was agreed to.

Council Bill No. 116 having been read the first and second times was, on motion, laid on the table indefinitely.

Council Bill No. 100 was read the third time and passed.

Ayes: Bell, Buck, Faulds, Huffaker, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 10.

Nays: Courtright, Johnson — 2.

There being no objection, the title was agreed to.

The following message was received from the Council:

Council Chamber
February 2nd, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that action was had on the following bills, Viz:

C. B. No. 102, "An act to incorporate the Norwegian Gulch Ditch Company." Passed February 9th.

C. B. 103, "An act to incorporate the Prickley Pear Gold and Silver Mining Company." Passed February 2nd.

C. B. No. 104, "An act incorporating the American Gold and Silver Mining Company of Montana." Passed February 2nd.

C. B. No. 113, "An act to incorporate the Helena Wagon Road Company." Passed February 2nd.

C. B. No. 116, "An act to authorize and enable A. Sullivan to sell and convey certain mining claims." Passed February 2nd.

H. B. No. 113, "An act for the compensation of Walter DeLacy." Passed February 2nd.

The Council refuses to recede from their amendments to House Bills Nos. 83 and 91.

C. B. No. 106 is herewith returned to the House properly engrossed.

George A. Haynes
Secretary of Council

Council Chamber
February 3rd, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that the following resolution was passed by the Council this day, Viz:

Resolved, that a Joint Committee of one from the Council and two from the House of Representatives be appointed to ascertain what sum each officer, member, clerk and attache of both Houses is entitled to for services or mileage under the provisions of the Organic Act and also under the act providing for increased compensation of officers in this Territory and report the same to both Houses.

Mr. Thompson was appointed on part of Council.

Geo. A. Haynes
Secretary of Council

Council Bill No. 93 having been read with the amendments made by the Committee, the amendments were agreed to, and the bill read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, McCormick, Mayhew, Ryan, Stuart, Smith, Mr. Speaker — 12.

Nays: None.

There being no objection, the title was agreed to.

House Bills Nos. 83 and 91 were read with the amendments made by the Council. The amendments were agreed to and the bills ordered engrossed.

House Bill No. 115 was reported back from the Committee of Ways and Means.

Smith,
Chairman

Council Bill No. 70 was reported back from the Select Committee with the following amendments and recommend its passage. The amendments were agreed to and the bill, so amended, was read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Stuart, Smith, Mr. Speaker — 11.

Nays: Ryan — 1.

There being no objection, the title was agreed to.

House Bill No. 115 was read the third time and being put on its final passage, it was lost.

Ayes: Huffaker, McCormick, Mayhew, Ryan, Stuart, Mr. Speaker — 6.

Nays: Bell, Buck, Courtright, Faulds, Johnson, Smith — 6.

The House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met. Speaker in the Chair. Roll called. Absent: Courtright, Johnson, Mayhew, McCormick, Ryan.

On motion of Mr. Buck, the consideration of Council Bill No. 71 was passed until tomorrow morning.

The following message was received from the Council:

Council Chamber
February 3rd, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that the following bill, Viz:

C. B. No. 122, "An act supplementary to an act to provide for the expenses of Montana Territory," was passed this day.

Geo. A. Haynes
Secretary of Council

The Joint Committee on Enrollment have examined House Bills Nos. 59, 86, 97, and 102 and find the same correctly enrolled and have presented them to the Governor for his approval.

Smith]
Stuart] Committee

On motion of Mr. Bell, a committee of two was appointed on the part of the House to confer with a committee appointed on the part of the Council in relation to the sums due the officers, members, clerks and attaches of both Houses. Messrs. Bell and Courtright were appointed said committee.

The House went into Committee of the Whole on Council Bill No. 31. Mr. Buck in the Chair.

When the committee arose, the Speaker took the Chair and the Chairman of the Committee of the Whole made the following report:

Mr. Speaker: The House in Committee of the Whole on C. B. No. 31 report it back with the following amendments: Strike out of Line 8, Section 1, Article 4, the word "Twenty" and insert "Fifty". Also same Article, Section 4 be stricken out. Also in Section 1, Article 9 "the seat of Justice" and insert instead thereof "County Seat." In Article 1, Section 10, Line 15 the word "Jefferson" be inserted.

I. N. Buck,
Chairman

The report was received and adopted, and the bill read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 10.

Nays: Johnson — 1.

There being no objection, the title was agreed to.

The following message was received from the Governor:

Executive Office
February 2nd, 1865.

To the Honorable Speaker of the House of Representatives:

Sir:

I have this day signed the following House Bills, Viz:

H. B. No. 63, "An act to prevent officers from dealing in certain securities."

H. B. No. 70, "An act to incorporate the Fort Benton and Kootney Wagon Road Company."

H. B. No. 77, "An act to incorporate the Iron Manufacturing Company."

H. B. No. 79, "An act to incorporate the Gallatin Town Company."

H. B. No. 81, "An act to incorporate the Bears Teeth Wagon Road Company."

H. B. No. 82, "An act to incorporate the Marias Ferry Company."

H. B. No. 84, "An act to incorporate the Ophir Town Company."

H. B. No. 92, "An act concerning Jails and Jailors."

H. B. No. 93, "An act to incorporate the Big Hole River Bridge Company."

H. B. No. 104, "An act in relation to trout fishing."

Respectfully yours,

Sidney Edgerton
Governor

Mr. Bell introduced House Bill No. 116, "An act relating to firms."

Read the first and second times and referred to the Committee on Judiciary.

On motion of Mr. Courtright, House Bills Nos. 71, 72 and 73 were taken from the table.

H. B. No. 71 having been taken from the table was read the third time and passed.

Ayes: Courtright, Huffaker, Johnson, McCormick, Stuart, Smith — 6.

Nays: Bell, Buck, Faulds, Ryan, Mr. Speaker — 5.

There being no objection, the title was agreed to.

House Bill No. 73 was read the third time and put on its final passage and lost.

Ayes: Courtright, Johnson, McCormick, Stuart, Smith — 5.

Nays: Bell, Buck, Faulds, Huffaker, Ryan, Mr. Speaker — 6.

The Committee to whom was referred H. B. No. 116 have had the same under consideration and beg leave to report the same back to the House with the evidence therewith transmitted and recommend it pass.

Huffaker
McCormick

The House adjourned to tomorrow.

FORTY-FOURTH DAY

House of Representatives
February 4th, 1865

House met agreeable to adjournment.

Speaker in the Chair. Prayer by the Chaplain. Roll called.

Absent: Johnson, Stuart and Smith.

Minutes of last meeting read and approved.

Mr. Courtright gave notice he would move to reconsider the vote on Council Bill No. 31.

The Committee on Incorporations reported back the following bills:

H. B. No. 24, strike out all but the enacting clause and substitute the following and recommend its passage.

H.-B. No. 98 was reported back and its passage recommended.

Mr. Speaker: The Committee on Elections to whom was referred the abstracts of votes given in the different counties at the October elections make the following report:

They have examined said abstracts and believe it to be a true abstract of the vote then taken and request that it be placed in the files of this House.

Bell]	
Courtright	]	Committee
Mayhew]	

The Committee on Judiciary to whom was referred C. B. No. 101 have had the same under consideration and beg leave to report the same back and recommend its passage.

McCormick]	
Mayhew	]	Committee
Buck]	

The Committee on Towns and Counties to whom was referred C.B. No. 40 have had the same under consideration and beg leave to report the same back to the House and recommend its passage.

Mayhew]	
Smith	]	Committee
Bell]	

The following message was received from the Council:

Council Chamber
February 4th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that the following bills passed the Council February 3rd, 1865:

C. B. No. 117, "An act to incorporate the Boulder Town Company."

C. B. No. 120, "An act to incorporate the Phoenix Gold and Silver Mining Company."

C. B. No. 121, "An act to incorporate the Kalida Gold and Silver Mining Company."

H. B. No. 107, "An act to incorporate the Ionia Gold and Silver Mining Company."

Geo. A. Haynes
Secretary of Council

Executive Office
February 9th, 1865

To the Honorable Speaker of the House of Representatives:

Sir:

I have this day approved House Bill No. 47 entitled "An act in relation to executors and administrators."

Sidney Edgerton
Governor

House Bill No. 114 was read with the amendments made by the Council.

The House refused to concur in the amendments. Mr. Buck made a motion to reconsider a motion by which the amendments to H. B. No. 114 was not concurred in. Lost.

House Bill No. 108 was read with the amendments made by the Council.

The House refused to concur in the amendments.

Mr. Mayhew made a motion to reconsider the vote refusing to concur in Council amendments. Lost.

House Bill No. 112 was read with the amendments made by the Council. The amendments were concurred in and the bill ordered engrossed.

On motion of Mr. Mayhew, the House reconsidered the vote passing C. B. 31. Mr. Buck moved to strike out all of Line 16, Section 10 after 1865 and all of Line 17 to the words "in this Territory" and insert "in all organized Counties." Amendments agreed, the bill was then passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 12.

Nays: None.

There being no objection, the title was agreed to.

Mr. Buck introduced House Bill No. 118, "An act to incorporate the Dacotah Mining Company." Read the first and second times and on suspension of the Rules, read a third time and passed.

Ayes: Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, Ryan, Stuart, Smith, Mr. Speaker — 10.

Nays: McCormick — 1.

There being no objection, the title was agreed to.

Council Bill No. 40 having been read the 3rd time, passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 12.

Nays: None.

There being no objection, the title was agreed to.

Council Bill No. 101 having been read the third time, passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith Mr. Speaker — 12.

Nays: None.

There being no objection, the title was agreed to.

House Bill No. 98 was read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Mr. Speaker — 11.

Nays: None.

There being no objection, the title was agreed to.

House Bill No. 24 was read the third time and on motion of Mr. Stuart, the name of W. F. Sanders was stricken from the bill.

The bill was then passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Mayhew, McCormick, Ryan, Stuart, Mr. Speaker — 10.

Nays: None.

The title was agreed upon.

Council Bill No. 102 was read with the amendments by the committee. The amendments were adopted and the bill read the third time and, on motion, recommitted the same to a special committee consisting of Messrs. Courtright, Huffaker and Johnson.

Mr. Bell moved to reconsider House action on H. B. No. 115. Carried. The bill was then put on its final passage and passed.

Ayes: Bell, Courtright, Huffaker, Mayhew, McCormick, Stuart, Mr. Speaker — 7.

Nays: Buck, Faulds, Smith — 3.

There being no objection, the title was agreed to.

Council Bill No. 74 was taken up and read the second time. Mr. Buck moved to amend said bill pending said motion, the House adjourned.

AFTERNOON SESSION

House met. Speaker in the Chair. Roll called. Absent: Bell.

Council Bill No. 74 being under consideration, the following amendments were adopted.

Ayes: Buck, Courtright, Faulds, Johnson, Stuart, Smith, Mr. Speaker — 7.

Nays: Bell, Huffaker, Mayhew, McCormick, Ryan — 5.

There being a motion made by McCormick to indefinitely postpone it, was lost.

Ayes: Huffaker, Mayhew, McCormick, Ryan — 4.

Nays: Bell, Buck, Courtright, Faulds, Johnson, Stuart, Smith, Mr. Speaker — 8.

The bill was then put on its final passage and passed.

Ayes: Buck, Courtright, Faulds, Johnson, Stuart, Smith, Mr. Speaker — 7.

Nays: Bell, Huffaker, Mayhew, McCormick, Ryan — 5.

Mr. Mayhew moved to change the title so as to read "Grand Swindle."

Ayes: Bell, Huffaker, Mayhew, McCormick, Ryan — 5.

Nays: Buck, Courtright, Faulds, Johnson, Stuart, Smith, Mr. Speaker — 7.

The title was then agreed to.

The Committee on Enrollment then examined H. B. Nos. 61, 85, 113, 106 and 78 and find them correctly enrolled.

P. Ryan,
Chairman

The Joint Committee on Enrollment have presented the following bills to the Governor for his approval: H. B. Nos. 61, 78, 85, 83, 106 and 113.

Smith,
Chairman

Council Bill No. 117 was read the first and second times. Mr. Courtright made a motion to insert the name of J. J. Healey as one of the directors.

Agreed to. The bill was then read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, Ryan, Stuart, Smith, Mr. Speaker - 10.

Nays: Huffaker, McCormick - 2.

There being no objection, the title was agreed to.

Council Chamber
February 4th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that action was had on the following bills, Viz:

C. B. No. 123, "An act to incorporate the Ophir and Flathead River Wagon Road Company." Passed Feb. 4th.

H. B. No. 108, "An act to incorporate the Ottawa Mining Company," passed with the amendment strike out the words "the fee simple" Section 1, Line 15, and insert "in accordance with the laws of this Territory."

H. B. No. 112, "An act concerning fugitives from Justice" passed with this amendment, Section 8, Line 6 after the word "abscond" insert the word "or secrete".

H. B. No. 114, "An act to incorporate the Silver Bow Ditch Company" passed with this amendment — Section 2 between the word "region", Line 11 and the word "and" same Line, insert the following, "but one sluice head of water shall be reserved for the use of the miners on Silver Bow Creek should they desire it."

George A. Haynes
Secretary of Council

House Bill No. 116 was read the third time and on its passage, lost. Mr. McCormick moved to reconsider the vote, lost. Mr. McCormick again moved to reconsider the vote by which House Bill No. 116 was lost. Carried.

The bill again put on its final passage and passed.

Ayes: Courtright, Huffaker, Johnson, Mayhew, McCormick, Stuart, Smith — 7.

Nays: Bell, Buck, Faulds, Ryan, Mr. Speaker — 5.

There being no objection, the title was agreed to.

House Bill No. 73 was taken up, read the third time and passed.

Ayes: Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Smith — 9.

Nays: Bell, Stuart, Mr. Speaker — 3.

There being no objection, the title was agreed to.

House Bill No. 72 was read the 3rd time and passed.

Ayes: Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Smith — 9.

Nays: Bell, Stuart, Mr. Speaker — 3.

There being no objection, the title was agreed to. The House then adjourned.

FORTY-FIFTH DAY

House of Representatives
February 6th, 1865

House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain.

Roll called. Absent: Ryan, Smith.

Minutes of last meeting read and approved.

The Special Committee to whom was referred C. B. 76 and C. B. No. 94 were requested to report at 2 o'clock p.m.

Mr. Faulds introduced House Bill No. 119, "An act to incorporate the Grass Hopper Drain Ditch Company" read the first and second times and on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, Stuart, Smith, Mr. Speaker — 11.

Nays: None.

There being no objection, the title was agreed to.

Mr. Smith introduced H. B. 120, "An act to incorporate the Excelsior Gold and Silver Mining Company" read the first and second times and on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, Stuart, Smith, Mr. Speaker — 10.

Nays: McCormick.

The title was then amended so as to read "The Montana Excelsior No. 2 Gold and Silver Mining Company."

Mr. Bell introduced H.B. No. 121 "An act concerning District Judges" read the first and second times and referred to Committee on Judiciary.

Mr. Bell introduced H. B. 122, "An act authorizing County Commissions to pay interest on county warrants." Read the first and second times and on suspension of the Rules, read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Stuart, Smith, Mr. Speaker — 10.

Nays: McCormick — 1.

There being no objection, the title was agreed to.

Mr. Bell introduced House Bill No. 123, "An act granting additional compensation to the attorney general." Read the first time. On motion of Mr. Mayhew, the bill was rejected.

Mr. Courtright introduced H. B. No. 124, "An act to legalize certain acts of the people of Montana Territory." Read the first and second times and referred to Committee on Judiciary.

The following message was received from the Council:

Council Chamber
February 6th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that action was had on the following bills, Viz:

C. B. No. 31, "An act relating to counties and county officers." House amendments to said bill were concurred in except amendment to Section 10, Line 16, Article 1st, striking out all of said line after the number "1865" and insert "in all organized counties".

C. B. No. 102, "An act to incorporate the City of Nevada." Amendments of House to this bill were not concurred in.

C. B. No. 74, "An act to increase the number of members in the Council and House of Representatives." Amendments of House were not concurred in, and a committee consisting of Messrs. Bagg and Thompson was appointed to confer with a like number to be appointed by the House on said bill, and respectfully ask the House to appoint the same.

H. B. No. 24, "An act to establish a wagon road from the waters of Grasshopper Creek to Wordensville" was passed with this amendment, Strike out "Wordensville" wherever it occurs in said bill and insert "Hell Gate".

H. B. No. 117, "An act supplemental to an act entitled 'An act to provide increased compensation to officers of the Territory,'" passed Feb. 6th, 1865.

C. B. No. 109, "An act regulating the fees of officers, jurors and witnesses," passed Feb. 6th, 1865.

C. B. No. 126, "An act amendatory to an act entitled 'An act concerning conveyances,'" passed Feb. 6th, 1865.

George A. Haynes
Secretary of Council

Council Chamber
February 6th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that action was had on the following bills, Viz:

C. B. No. 125, "An act relating to Gulch, Hill and Placer Mines," passed Feb. 4th.

H. B. No. 111, "An act concerning the foreclosure of mortgages," passed Feb. 4th.

House amendments to Council Bill No. 70 were concurred in by the Council Feb. 4th.

House amendments to Council Bill No. 93 were partly concurred in, a committee was appointed on part of Council consisting of Messrs. Potter and Merriman and ask the House to appoint a committee of like number to confer in relation to said bill and perfect the same.

Geo. A. Haynes
Secretary of Council

The following message was received from the Council:

Executive Office
February 6th, 1865

To the Honorable Speaker of the House of Representatives:

Sir:

I have this day approved the following House Bills, Viz:

No. 59, "An act to incorporate the Beaver Head Ditch Company."

No. 61, "An act to incorporate the North Mill Creek Ditch Company."

No. 78, "An act to incorporate the East Gallatin Town Company."

No. 85, "An act to incorporate the East Ophir Town Company."

No. 86, "An act to incorporate the Town of North Ophir."

No. 97, "An act to incorporate the Ophir Ferry Company."

No. 102, "An act authorizing certain persons to solemnize marriages."

No. 113, "An act for the compensation of Walter W. DeLacy for services rendered."

Also, an act not numbered entitled, "An act to incorporate the Missouri River Coal Mining Company."

Respectfully yours,

Sidney Edgerton
Governor

C. B. 93, The House appointed a committee of three to confer with Council Committee in relation to Council Bill No. 93. Johnson, Huffaker, Courtright were appointed said committee.

Council Bill No. 123 was read the first and second times, on motion of Mr. Buck, the following amendments were made to Section "Provided that after ten years the County Commissioners of the Counties through which the road shall pass may change the rates of toll on the application of fifty citizens of either of said counties." The Rules were then suspended and the bill read a third time and passed.

Ayes: Buck, Courtright, Faulds, Huffaker, Johnson, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 10.

The title was agreed to, there being no objection.

The Joint Committee on Enrollment have presented H. B. Nos. 51 and 91 to the Governor for his approval.

Smith,
Chairman

Council Bill 121 was read the first and second times and, on suspension of Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 11.

Nays: None.

There being no objection, the title was agreed to.

Council Bill No. 120 was read the first and second time and, on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Ryan, Stuart, Mr. Speaker — 9.

Nays: McCormick.

There being no objection, the title was agreed to.

Council Bill No. 125 was read the first time and, on motion of Mr. Stuart was laid on the table.

The Special Committee to whom was referred C. B. No. 83, find that it will not materially interfere with any other privileges granted and would report it back to the House and recommend its passage.

Mayhew]	
Stuart]	Committee
Buck]	

The bill was then read a third time and passed.

Ayes: Buck, Courtright, Faulds, Huffaker, Johnson, McCormick, Ryan, Stuart — 8.

Nays: Bell, Mr. Speaker — 2.

There being no objection, the title was agreed to.

The Committee on Incorporations to whom was referred C. B. No. 90, have had the same under consideration and beg leave to report the same back to the House and recommend its passage.

Mayhew]	
McCormick]	Committee
Buck]	

The bill was then read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, McCormick, Stuart, Ryan, Mr. Speaker — 10.

Nays: None.

There being no objection, the title was agreed to.

The Committee on Incorporations to whom was referred Council Bill No. 91, and House Bill No. 119 have had the same under consideration and beg leave to report them back to the House and indefinitely postponed.

Mayhew]	
McCormick]	Committee
Buck]	

The House took up and read C. B. No. 91 and indefinitely postponed the same.

House Bill No. 119, having been read, was indefinitely postponed.

The Committee to whom was referred Council Bill No. 102 reported the same back and recommend its passage.

W. Huffaker
M. Courtright

The bill was then read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, McCormick, Ryan, Stuart, Mr. Speaker — 10.

Nays: None.

There being no objection, the title was agreed to.

The following Resolution was offered by Mr. McCormick and adopted by the House:

"Whereas a certain communication has appeared in the Montana Post over the signature of 'Franklin' bearing date Bannack City, January 27th, 1865 charging certain members of the Legislative Assembly from Madison County with venality and corruption and desiring to exonerate the members of the Legislature from the foul slander published by this libellous scribbler and to show their contempt for the author of said communication. Therefore be it resolved by the House of Representatives of the Territory of Montana, that the author of said communication is a willful and malicious libeler and calumniator of the representatives of the people and that this House pronounce the charge of corruption against members of this Legislature a wicked, willful, malicious falsehood and calumny."

Resolved that a copy of this resolution be furnished the editor of the Montana Post by the clerk of the House with the request that the same be published.

On motion, the House adjourned.

AFTERNOON SESSION

Speaker in the Chair. Roll called. Absent: Ryan.

House Bill No. 125, introduced by Mr. McCormick, "An act repealing the laws of Idaho Territory." Read the first and second times and, on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Mayhew, McCormick, Stuart, Smith, Mr. Speaker — 10.

Nays: None.

There being no objection, the title was agreed to.

Council Bill No. 125 was, on motion of Mr. Buck, taken. The Rules being suspended, the bill was read a second time and a third time and referred to a special committee consisting of Messrs. Courtright and Huffaker. The Select Committee to whom was referred Council Bill No. 76 find the following state of facts to exist, that there is all ready a ditch constructed and finished along said proposed line for a distance of near three-quarters of a mile as you will see by affidavit. Also, that it would be injurious to a number of claim owners above said ditch or dam on account of back water.

Faulds]	
Huffaker]	Committee
Johnson]	

The report was received and the committee discharged. The bill was then read the third time and put on its final passage and lost.

Ayes: McCormick.

Nays: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, Stuart, Smith, Mr. Speaker — 10.

On motion of Mr. McCormick, a committee of two was appointed to meet the committee appointed on the part of the Council to take into consideration C. B. No. 74. Messrs. McCormick and Stuart were appointed said committee.

Mr. Mayhew introduced House Bill No. 126, "An act to provide for contested elections". Read the first and second times and, on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Stuart, Smith, Mr. Speaker — 11.

Nays: None.

There being no objection, the title was agreed to.

House Bill No. 127 introduced by Mr. Bell, "An act authorizing auditors to take acknowledgements of Deeds." Read the first and second times and referred to the Committee on Judiciary.

The Judiciary Committee reported back H. B. No. 127 and recommended its passage.

McCormick]	
Mayhew]	Committee
Buck]	

The bill was then read the third time and passed.

Ayes: Bell, Buck, Faulds, Johnson, Mayhew, Smith, Mr. Speaker — 7.

Nays: Courtright, Huffaker, McCormick, Stuart — 4.

There being no objection, the title was agreed to.

Mr. Speaker: Your Special Committee (Joint) to whom was assigned the duty of ascertaining the mileage and pay of members, clerks and attaches of the assembly have had the subject under consideration and have prepared a tabular statement for each House and herewith present the same for your consideration.

Thompson]	on the part of the Council
Bell]	on the part
Courtright]	of the House

(see pages following)

On motion of Mr. Buck, the House adjourned.

Pay Roll House of Representatives

First Session of the Legislative Assembly
Montana Territory

Names	Office	Residence	No. of Miles	Ter. Mileage	U. S. Mileage
Detwiler	Speaker	Silver City	440	\$110.	\$88.
Bell	Representa- tive	Virginia City	160	40.	32.
Buck	"	Beaver Town	360	90.	72.
Courtright	"	"	360	90.	72.
Faulds	"	Bannack City			
Huffaker	"		160	40.	32.
Johnson	"	Missoula Co.	400	100.	80.
Mayhew	"	Virginia City	160	40.	32.
McCormick	"	" "	160	40.	32.
Ryan	"	Nevada City	160	40.	32.
Stuart	"	Cottonwood	240	60.	48.
Smith	"	Bannack City			
Brown	Chief Clerk	Virginia City	160	40.	
Stevens	Asst. Clerk	Bannack City			
Blake	Eng. Clerk	Virginia City	160	40.	
Richardson	Enrol. Clerk	Virginia City	160	40.	
Martin	Asst. Enrol. Clerk	Bannack City			
Dunlap	" "	Bannack City			
Hill	Sergt.-at- Arms	Virginia City	160	40.	
Flaugh	Door Keeper	Bannack City			
Johnson	Fireman	" "			
Watson	Page	" "			
Edgerton	"	" "			
Carr	Chaplain	" "			

Pay Roll House of Representatives

First Session of the Legislative Assembly
Montana Territory

Names	Days	Ter. Pay	U. S. Pay	Total U. S.	Total Tery.
Detwiler	60	\$720.	\$480.	\$568.	\$830.
Bell	60	720.	240.	272.	760.
Buck	"	720.	240.	312.	810.
Courtright	"	720.	240.	312.	810.
Faulds	"	720.	240.	240.	720.
Huffaker	"	720.	240.	272.	760.
Johnson	"	720.	240.	320.	820.
Mayhew	"	720.	240.	272.	760.
McCormick	"	720.	240.	272.	760.
Ryan	"	720.	240.	272.	760.
Stuart	"	720.	240.	288.	780.
Smith	"	720.	240.	240.	720.
Brown	"	660.	240.	240.	700.
Stevens	"	660.	180.	180.	660.
Blake	"	660.	180.	180.	700.
Richardson	"	660.	180.	180.	700.
Martin	"	720.			720.
Dunlap	"	720.			720.
Hill	"	540.	180.	180.	580.
Flaugh	"	420.	180.	180.	420.
Johnson	"	120.			120.
Watson	24	180.			180.
Edgerton	36	180.			180.
Carr	60	300.			300.

FORTY-SIXTH DAY

House of Representatives
February 7th, 1865

House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain. Roll called. Absent: Johnson, Stuart.

Minutes of last meeting read and approved.

Mr. McCormick introduced H. B. No. 131, "An act apportioning the members of the Legislative Assembly of the Territory of Montana." Read the first and second times. Mr. Stuart offered the following amendments: Section 6, Line 4 read "12" instead of "13". Strike all of Section 5. Section 6, Line 4 read "3" instead of "2".

Ayes: Buck, Faulds, Johnson, Smith — 4.

Nays: Bell, Courtright, Huffaker, Mayhew, McCormick, Ryan, Stuart, Speaker — 8. Lost.

On motion of Mr. Mayhew, the Rules were suspended and the bill read a third time and passed.

Ayes: Bell, Courtright, Huffaker, Mayhew, McCormick, Ryan, Mr. Speaker — 7.

Nays: Buck, Faulds, Johnson, Stuart, Smith — 5.

There being no objection, the title was agreed to.

Mr. Mayhew introduced H. B. No. 129, "An act concerning joint rights and obligations." Read the first and second times and, on suspension of the Rules, read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Mayhew, Ryan, Smith, Mr. Speaker — 9.

Nays: None

There being no objection, the title was agreed to.

Mr. Mayhew introduced House Bill No. 128, "An act to provide for vacancies in the Legislature." Read the first and second time, Rules suspended and the bill read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Smith, Mr. Speaker — 11.

Nays: None.

There being no objection, the title was agreed to.

Mr. Ryan introduced House Bill No. 132, "An act for the better observance of the Lord's Day". Read the first and second times. Mr. Courtright moved to lay the bill on the table. Lost.

Mr. Buck offered the following amendments: Strike out Section 4, When "Justices of the Peace" occurs, that it be stricken out and insert "any court of competent jurisdiction" instead. Add Section 5. "This act to take effect

and be in force from and after its passage." The amendments were adopted. The Rules were suspended and the bill read a third time and lost.

Ayes: Buck, Faulds, Johnson, Ryan, Smith — 5.

Nays: Bell, Courtright, Huffaker, Mayhew, McCormick, Stuart, Mr. Speaker — 7.

Mr. Smith introduced House Bill No. 130, "An act defining the duties of the Territorial Auditor and Treasurer." Read the first and second times. Mr. Bell offered the following amendment: Strike out of Line 2, Section 11, the word "five" and insert the word "three". Lost. The Rules were suspended and the bill read a third time and passed.

Ayes: Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Smith — 9.

Nays: Bell, Stuart, Mr. Speaker — 3.

There being no objection, the title was agreed to.

Mr. Buck introduced H. B. No. 133, "An act to provide for the formation of partnerships." Read the first and second times and on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Johnson, Huffaker, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 12.

Nays: None.

There being no objection, the title was agreed to.

Mr. McCormick introduced House Bill No. 134, "An act granting relief to tax payers." Read the first and second times and on suspension of the Rules, read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 12.

Nays: None

There being no objection, the title was agreed to.

The following message was received from the Council.

Council Chamber
February 6th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that the following Bills passed the Council this day, Viz:

C. B. No. 127, "An act dissolving the bonds of Matrimony between James R. Bigelow and Martha W. Bigelow."

H. B. No. 96, "An act to incorporate the Sinni Bridge Company."

H. B. No. 98, "An act authorizing Oliver Lotzenhiser to establish a ferry across the Missouri River."

H. B. No. 73, "An act dissolving the bonds of Matrimony between Geo. C. Howard and Nancy G. Howard."

H. B. No. 71, "An act dissolving the bonds of Matrimony between William Gibson and Elizabeth Gibson."

H. B. No. 72, "An act dissolving the bonds of Matrimony between Chas. Bartholamew and Ester Bartholamew, his wife."

H. B. No. 116, "An act dissolving the bonds of Matrimony between Henry C. Wright and Margaret J. Wright."

C. J. R. No. 9, declaratory of the duties of the Commissioner of Madison County in a special case.

Geo. A. Haynes
Secretary of Council

On motion of Mr. Buck, the House receded from its amendments to Council Bill No. 31, inserting "in all organized counties".

Mr. Bell introduced House Bill No. 135, "An act for the relief of the poor." Read the first and second times, Rules suspended, and the bill read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, McCormick, Mayhew, Ryan, Stuart, Smith, Mr. Speaker — 12.

Nays: None.

There being no objection, the title was agreed to.

On motion of Mr. Buck, the House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met agreeable to adjournment. Speaker in the Chair. Roll called. Absent: Courtright, Mayhew, McCormick, Stuart.

The Committee on Ways and Means to whom was referred H. B. No. 103, "An act concerning licenses," have had the same under consideration and beg leave to report the bill back and recommend the following as a substitute: Strike out all after the enacting clause, and recommend its passage.

Smith]
Ryan] Committee
Johnson]

The substitute was read. Mr. Ryan offered an amendment. Lost. The bill was then read a third time and on suspension of the Rules, passed.

Ayes: Bell, Buck, Faulds, Huffaker, Johnson, Mayhew, McCormick, Stuart, Smith, Mr. Speaker — 10.

Nays: Courtright, Ryan — 2.

There being no objection, the title was agreed to.

Council Chamber
February 7th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that the following bills passed this day:

H. B. No. 108, "An act to incorporate the Dakota Mining Company" with amendment which is transmitted with the bill.

H. B. No. 119, "An act to incorporate the Grasshopper Drain Ditch Co." with amendment which is herewith transmitted.

H. B. No. 120, "An act to incorporate the Montana Gold and Silver Mining Company" with amendment which is herewith transmitted.

H. B. No. 128, "An act to provide for vacancies in the Legislature."

H. B. No. 129, "An act concerning joint rights and obligations."

H. B. No. 131, "An act apportioning the members of the Legislative Assembly of the Territory of Montana."

H. B. No. 106, "An act defining the Judicial Districts of Montana Territory," was indefinitely postponed.

C. J. R. No. 10, relating to the repeal of the laws of Idaho passed this day.

House amendments to Council Bills Nos. 102 and 123 were concurred in by the Council this day.

Geo. A. Haynes
Secretary of Council

C. B. No. 124, "An act to incorporate the Montreal Town Company," passed this day.

Geo. A. Haynes
Secretary of Council

The following message was received from his Excellency, the Governor:

Executive Office
Bannack City
February 6th, 1865

To the Honorable Speaker of the House of Representatives:

I have this day signed House Bill No. 51, Criminal Practice Act.

House Bill No. 91, "An act to incorporate the Peter Funk Mining Company."

Respectfully yours,

Sidney Edgerton
Governor

The Committee on Incorporations to whom was referred H. B. No. 12 have examined the same and recommend its passage with the following amendments:

Add to Section 9, "Provided that nothing in this act shall be so construed as to permit the parties claiming the same to infringe upon or interfere with prior rights acquired or guaranteed."

A. E. Mayhew
W. J. McCormick
I. N. Buck

The bill was then read with the amendment made by the Committee. The amendment was agreed to, the Rules suspended and the bill read a third time and passed.

Ayes: Bell, Buck, Courtright, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart — 9.

Nays: Smith, Faulds, Mr. Speaker — 3.

There being no objection, the title was agreed to.

Council Bill No. 127 was read the first and second times and on suspension of the Rules, read a third time and passed.

Ayes: Courtright, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith — 8.

Nays: Bell, Buck, Faulds — 3.

There being no objection, the title was agreed to.

The Joint Committee on Enrollment have presented the following bills to the Governor for his approval: H. B. Nos. 89, 108, 111, 112, 114, 117, 71, 72, 73 and 116.

Smith,
Chairman

Council Joint Resolution No. 9 having been read, on motion of Mr. Stuart, it was indefinitely postponed.

House Bill No. 120 having been read with the amendments made by the Council, the amendments were agreed to and the bill ordered engrossed.

Council Joint Resolution No. 10 was read the first and second times and on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 11.

Nays: Buck — 1.

There being no objection, the title was agreed to.

House Bill No. 118 was read with the amendments made by the Council, the amendments agreed to and the bill ordered engrossed.

House Bill No. 119 was read with the amendments made by the Council, the amendments agreed to and the bill ordered engrossed.

Council Bill No. 124 was read the first and second times and on suspension of the Rules, read a third time and passed.

Ayes: Courtright, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 9.

Nays: Bell, Buck, Faulds — 3.

There being no objection, the title was agreed to.

The Committee on Judiciary to whom was referred C. B. 125 and recommend it pass with the following amendment: Add to Section 1, the following: "Provided that mining claims shall not be laid over during the months of May, June, July, August, September and October of each year."

McCormick]	
Mayhew]	Committee
Buck]	

The amendments were agreed to and the Rules suspended, the bill read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Stuart, Smith, Mr. Speaker — 9.

Nays: Mayhew, McCormick, Ryan — 3.

The title was then agreed upon.

On motion of Mr. Ryan, the House receded from its amendments to Council Bill No. 112.

The Committee of Conference appointed upon the part of the House and Council on C. B. No. 74 beg leave to report that they have failed to agree upon said bill.

Bagg	]	on part
Thompson	]	of Council

McCormick	]	on part
Stuart	]	of House

On motion of Mr. Buck, the report was received and the Committee discharged.

Mr. Courtright introduced House Bill No. 140, "An act to dissolve the bonds of Matrimony existing between Henry D. Moyer and Abigail Moyer, his wife."

Read the first and second times, and on suspension of the Rules, read the third time and passed.

Ayes: Courtright, Faulds, Huffaker, McCormick, Ryan, Stuart, Smith — 7.

Nays: Bell, Buck, Johnson, Mayhew, Mr. Speaker — 5.

There being no objection, the title was agreed to.

Mr. Courtright introduced H. B. No. 135, "An act to incorporate the California Mining Company." Read the first and second times and on suspension of the Rules, read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, McCormick, Ryan, Mr. Speaker — 8.

Nays: Johnson, Mayhew, Stuart, Smith — 4.

There being no objection, the title was agreed to.

The following Resolution was received from the Council:

Council Chamber
February 6th, 1865

The following Resolution passed:

Resolved by the Council, the House of Representatives concurring, that the Auditor be instructed to issue his warrants to members, clerks and attaches of the Legislative Assembly according to the report of the Joint Committee upon pay and mileage.

Geo. A. Haynes
Clerk of Council

The House adopted the Resolution unanimously.

Mr. McCormick offered the following Resolution, which was adopted:

Resolved by the House of Representatives, the Council concurring, that the Territorial Auditor be requested to draw his warrants in favor of A.

J. Oliver for the sum of twenty-three dollars for newspapers furnished to the House of Representatives.

On motion of Mr. Faulds, the House adjourned.

FORTY-SEVENTH DAY

House of Representatives
February 8th, 1865

House met agreeable to adjournment. Speaker in the Chair. Prayer by the Chaplain.

Roll called. Absent: Courtright, Johnson, Smith.

Minutes of last meeting read and approved.

The Committee on Engrossment have examined H. B. No. 12 and report the same correctly engrossed.

P. Ryan,
Chairman

Mr. Courtright introduced H. B. No. 136, "An act to dissolve the bonds of Matrimony existing between Peter Greenish and Mrs. E. Greenish." Read the first and second times and, on suspension of the Rules, read a third time and passed.

Ayes: Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Smith — 8.

Nays: Bell, Buck, Stuart, Mr. Speaker — 4.

There being no objection, the title was agreed to.

Mr. Buck introduced House Bill No. 137, "An act to amend an act granting to Franklin Ruff, James Hiester, Antoine Premeau the right to have and maintain a ferry and bridge across Jefferson River on the road from Virginia City to Fort Benton and Prickley Pear." Read the first and second times and, on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Mayhew, McCormick, Ryan, Stuart, Mr. Speaker — 10.

Nays: Johnson, Smith — 2.

There being no objection, the title was agreed to.

Mr. Buck introduced H. B. 138, "An act to incorporate the Jefferson Bridge Company." Read the first and second times, rules suspended and read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Mayhew, McCormick, Ryan, Stuart, Mr. Speaker — 10.

Nays: Johnson — 1.

The title was agreed to.

The following messages were received from the Council:

Council Chamber
February 8th, 1865

Mr. Speaker:

I am directed to inform your Honorable Body that the following bill and resolutions passed February 7th, Viz:

H. B. No. 122, "An act to authorize County Commissioners to pay interest on county warrants."

C. J. R. No. 11, in reference to terms of court in the 2nd Judicial District.

C. J. R. No. 12, in reference to terms of court in the 3rd Judicial District.

Geo. A. Haynes
Secretary of Council

Council Chamber
February 8th, 1865

Mr. Speaker:

I am directed to inform your Honorable Body that the amendments of House to C. B. 125 were not concurred in by the Council, and that the following Resolution was adopted in reference to same.

Resolved, by the Legislative Council of the Territory of Montana that the House of Representatives be requested to recede from its amendments to C. B. 125.

George A. Haynes
Secretary of Council

Council Joint Resolution No. 11 was read the first and second times, and on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith — 11.

Nays: Mr. Speaker — 1.

Executive Office
Bannack City
February 8th, 1865

To the Honorable Speaker of the House of Representatives:

I have this day signed the following House Bills, Viz:

No. 24, "An act to establish a wagon road under the style of the Johnson Wagon Road Company."

No. 96, to incorporate the Sinni Bridge Company.

No. 98, "An act authorizing Oliver Lotsenhizer to establish a ferry across the Missouri."

No. 107, to incorporate the Ionia Gold and Silver Mining Company.

No. 120, "An act to incorporate the Montana Gold and Silver Mining Co."

No. 128, to provide for vacancy in the Legislature.

No. 129, "An act concerning joint rights and obligations."

Respectfully,

Sidney Edgerton
Governor

Robert Hill
Private Secy.

Council Joint Resolution No. 12 was read the first and second times. The following amendment was offered by Mr. Buck: Strike out "first

Monday in July" and insert "the third Monday in September." Amendment adopted. The Rules were then suspended and the bill read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith — 11.

Nays: Mr. Speaker — 1.

The Joint Committee on Enrollment have presented the following H. B. to the Governor for his approval: Nos. 120, 18, 131, 96, 98, 24, 128, 129, 107.

Smith,
Chairman

Council Bill No. 109 was read the first and second times. Mr. Mayhew offered the following amendment: "This act to take effect and be in force from and after its passage." Amendment adopted. The Rules were then suspended and the bill read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Johnson, Mayhew, McCormick, Stuart, Smith, Ryan, Mr. Speaker — 11.

Nays: None.

The title was agreed to.

The following message was received from the Governor:

Executive Office
Bannack City
February 8th, 1865

To the Honorable Speaker of the House of Representatives:

I have this day signed the following House Bills, Viz:

No. 71, "An act to dissolve the bonds of Matrimony existing between William and Elizabeth D. Gibson."

No. 72, "An act to dissolve the bonds of Matrimony existing between Charles and Ester Bartholamew."

No. 73, "An act dissolving the bonds of Matrimony between George C. Howard and Lucy G. Howard."

No. 89, "An act to incorporate the Virginia City and Camas Creek Wagon Road Company."

No. 108, "An act to incorporate the Ottawa Mining Company."

No. 111, "An act concerning the foreclosure of mortgages."

No. 112, "An act concerning fugitives from justice."

No. 114, "An act to incorporate the Silver Bow Ditch Company."

No. 116, "An act to dissolve the bonds of Matrimony between Henry C. and Margaret J. Wright."

No. 117, "An act supplemental to an act entitled 'An act to provide increased compensation to officers of the Territory.'"

Respectfully,

Sidney Edgerton
Governor

Robt. Hill
Priv. Secy.

The Committee on Judiciary to whom was referred H. B. No. 124 have had the same under consideration and beg leave to return the bill back to the House for such action as it may think proper.

McCormick]	
Mayhew]	Committee
Buck]	

The bill was then put on its final passage and lost.

Mr. Mayhew made a motion to recede from House amendments to Council Bill No. 125. Motion lost.

The following Resolution offered by Mr. Smith was adopted:

Resolved, that the Council be invited to meet the House of Representatives in Joint Convention at 10 o'clock a.m. on the 9th Inst. to elect a Territorial Auditor, Treasurer and Superintendent of Public Instruction.

On motion of Mr. Huffaker, the House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met agreeable to adjournment. Speaker in the Chair. Roll called.

Absent: Ryan, Stuart, Smith.

Council Bill No. 126 was read the first and second time and on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Faulds, Huffaker, Johnson, Mayhew, McCormick, Mr. Speaker — 8.

Nays: Courtright — 1.

On motion of Mr. McCormick, the title was changed so as to read "An act in relation to conveyances."

The following message was received from the Governor:

To the Honorable Speaker of the House of Representatives:

Sir:

I herewith return to you House Bill No. 131 entitled, "An act apportioning the members of the Legislative Assembly of the Territory of Montana." My objections to this are:

First, that the increased representation is not required by the people. If the population of this Territory is 20,000, the present representation gives one representative for every one thousand persons, and should our population increase to fifty thousand next fall, the present representation would be one representative for every two thousand persons which is certainly a very liberal representation.

In the second place I object to this bill for the reason that such increased representation will greatly increase the expenses of the Territory. I submit to you, will it be wise to throw the additional burden of fifteen or sixteen thousand dollars upon the treasury of our young Territory where the increased representation is not required and would add nothing to the efficiency of Legislation.

Respectfully yours,

Sidney Edgerton
Governor

Mr. Bell introduced House Bill No. 139, "An act granting compensation to C. S. Sackett." Read the first and second times. Rules suspended, read a third time and passed.

Ayes: Bell, Buck, Faulds, Huffaker, Johnson, McCormick, Mr. Speaker — 7.

Nays: Courtright, Mayhew — 2.

The title was agreed to.

The following message was received from the Governor.

Executive Office
Bannack City
February 8th, 1865

To the Honorable Speaker of the House of Representatives:

I beg leave to return herewith with my objections, House Bill No. (without number), entitled "An act to regulate proceedings in Courts of Justice in the Territory of Montana."

The objectionable section of this act is numbered 324 wherein it is attempted to grant rights and privileges to Chinamen, Indians and persons of African descent. Which the same Section denies to white men. I am fully aware of the patriotic course pursued in the present Civil War by the Negro population of the United States entitling them to the lasting gratitude of the nation, but I cannot acknowledge that those services are of more value or more unselfish than similar labors performed by the white men.

And if in this respect, the Honorable members of the Legislative Assembly should differ with me, I submit that this would not justify the invidious distinction against the white race in this Section attempted.

Why should the litigent Negroes have greater facilities afforded them by law to show to a jury the facts upon which they base their most important rights than two white men similarly circumstanced?

Our Juries and Courts are composed exclusively of white men and I consider the Caucasian race competent to weigh evidence coming from any witness of any race wisely, justly and well.

I feel it my duty to meet at the threshold this effort at Class Legislation to claim for the white man the right which you accord to the Negro. The right to introduce the evidence of any and every description tending to establish the right of the litigant and should this species of Class Legislation be permitted to pass unnoticed, how soon might we not expect some further infringement upon the rights of whites.

The especial friends of the Negro should be satisfied that the African has an equal right in Court and should not thus attempt to assert for him a legal superiority.

If this species of legislation is to be practiced I greatly fear that the Negro population of the States, now eminently a floating population will swarm hither in vast numbers to enjoy special favors which are thereby accorded them.

When suitors in our Courts earnestly ask why they may not have law according to them the right to use the evidence of a Negro to establish their rights. Will it be a satisfactory answer to such interrogator to say "because you are a white man".

While sympathizing with the ardent patriotism of the honorable members of the Assembly in their laudable desire to recognize and reward in some fitting manner the unselfish devotion to our country and flag displayed by the African race, yet I will not allow that sympathy to lead me so far astray from the obvious rules of common justice as to permit this infringement upon the rights of my own white race.

I hope the two Houses of the Assembly will yet so amend this section as to grant to white persons the privileges in the section as it now stands granted only to colored persons. And I would respectfully submit that the passage of a Joint Resolution by your Honorable Bodies tendering to the Negroes the thanks of this Territory for their heroic sacrifices and labors for the preservation of the Republic will in a less objectionable manner accomplish all you contemplate by the passage of the section I cannot approve.

Respectfully,

Sidney Edgerton
Governor

On motion of Mr. Smith, a Committee of Conference was appointed in Council Bill No. 125. The Committee consisted of Messrs. Smith, McCormick and Stuart.

The following message was received from the Council:

Council Chamber
February 8th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that the following bills passed this day, Feb. 8th.

C. B. No. 118, "An act to incorporate the Madison County Coal Company."

C. B. No. 128, "An act relating to imprisonment for debt."

C. B. No. 129, "An act to incorporate the Grasshopper Canon Road Company."

H. B. No. 103, "An act concerning licenses" passed with amendments - Strike out the last three Lines of Section 1. Also all of Section 4.

H. B. No. 110, "An act to incorporate the Madison County Mining Company" passed with this amendment - Strike out Section 6.

H. B. No. 130, "An act defining the duties of the Territorial Auditor and Treasurer of the Territory of Montana."

Geo. A. Haynes
Secretary of Council

House Bill No. 103, was read with the amendments made by the Council. The amendments were agreed to and the bill ordered engrossed.

Council Bill No. 128 was read the first and second times and on suspension of the Rules, the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, Ryan, Stuart, Smith, Mr. Speaker — 11.

Nays: McCormick — 1.

The title was agreed upon.

The Committee on Judiciary to whom was referred H. B. No. 116 have had the same under consideration and beg leave to report the bill back to the House with the recommendation that it pass without amendment.

McCormick]	
Mayhew]	Committee
Buck]	

The bill was then read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, McCormick, Ryan, Smith, Mr. Speaker — 10.

Nays: Mayhew, Stuart — 2.

The title was agreed to.

Council Bill No. 118 was read the first and second times. Mr. Buck offered the following amendment: Strike out the word "servants" in Section 5. Amendment adopted. The Rules were then suspended and the bill read a third time by title and passed.

Ayes: Bell, Buck, Courtright, Faulds, Johnson, Huffaker, Mayhew, McCormick, Stuart, Smith, Mr. Speaker — 11.

Nays: None.

The title was agreed to.

House Bill No. 142 introduced by Mr. Johnson, "An act concerning Partitions of Real Estate." Read the first and second times and on suspension of the Rules, read the third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, Ryan, Stuart, Smith, Mr. Speaker — 11.

Nays: Mr. McCormick — 1.

The title was agreed to.

Council Bill No. 129 was read the first and second times and on suspension of the Rules, read the third time and lost. Mr. Courtright moved to reconsider the vote by which C. B. 129 was lost. Carried.

The bill being again put on its final passage. Passed.

Ayes: Bell, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith — 10.

Nays: Buck, Mr. Speaker — 2.

The title was agreed to.

House Bill No. 143 introduced by Mr. Mayhew, "An act concerning fraudulent conveyances and contracts." Read the first and second times and on suspension of the Rules, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 12.

Nays: None.

The title was agreed to.

The select committee to whom was referred C. B. 94 beg leave to report the same back and recommend it do not pass. Your committee have conversed with a number of the residents of Marysville and have failed to find any one in favor of the passage of the bill.

Smith]
Stuart] Committee
Faulds]

The bill was then read a third time for information and being put on its final passage was lost.

Ayes: Bell, McCormick, Ryan — 3.

Nays: Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, Stuart, Smith, Mr. Speaker — 9.

The Committee of Conference to whom was referred Council Bill No. 125 have had the same under consideration and beg leave to suggest to the House of Representatives the importance of the Legislature passing such a bill and respectfully request the House to recede from its amendments to said bill.

Bagg] of
Merriman] Council

Smith] of
McCormick] House
Stuart]

The House refused to recede from its amendment to C. B. 125.

The Joint Committee on Enrollment have presented the following bills to the Governor for his approval: H. B. Nos. 122, 118, 119, 75, 110 and 130.

Smith,
Chairman

On motion of Mr. Mayhew, the bill without number and the veto message were taken up and read. The question being on the passage of the bill over the Governor's veto - the bill having received two thirds of the votes of the House, the speaker declared the bill passed.

Ayes: Bell, Buck, Faulds, Huffaker, Mayhew, McCormick, Ryan, Stuart, Mr. Speaker — 9.

Nays: Courtright, Johnson — 2.

H. B. No. 131 was then taken up with the message returned by the Governor containing his objections. The question being, "Shall the bill pass over the Governor's veto."

Ayes: Bell, Buck, Huffaker, Mayhew, McCormick, Ryan, Mr. Speaker — 7.

Nays: Courtright, Faulds, Johnson, Stuart, Smith — 5.

There not being two thirds of the votes in favor of the passage of the bill, it was declared lost by the Speaker.

On motion of Mr. Huffaker, the House adjourned.

FORTY-EIGHTH DAY

House of Representatives
February 9th, 1865

House met. Speaker in the Chair. Prayer by the Chaplain. Roll called. Absent: Faulds.

Minutes of last meeting read and approved.

Mr. Faulds introduced House Bill No. 144, "An act concerning conveyances." Read the first and second times, Rules suspended, read a third time, passed.

Ayes: Bell, Buck, Faulds, Courtright, Huffaker, Johnson, Mayhew, Ryan, Stuart, Smith, Mr. Speaker — 11.

Nays: None.

The title was agreed to.

House Bill No. 115 was read with the amendments made by the Council. The amendments were agreed to the bill only. Engrossed.

House Bill No. 134 was read with the amendments made by the Council. The amendments were agreed to and the bill ordered engrossed.

House Bill No. 12 was read with the amendments made by the Council. The amendments were agreed to and the bill ordered engrossed.

The following message was received from the Council:

Council Chamber
February 9th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that the following bills passed February 9:

H. B. No. 12, "An act to incorporate the Junction and Black Tail Deer Creek Wagon Road Company," with amendments which is herewith transmitted.

H. B. No. 15, "An act to provide compensation for Harry Burns in preparing civil and criminal code of Montana Territory," with amendment which is herewith transmitted.

H. B. No. 146, "An act relating to forms."

H. B. No. 133, "An act to provide for the formation of partnerships."

H. B. No. 134, granting relief to tax payers with amendment transmitted.

H. B. No. 136, "An act to incorporate the California Mining Company."

H. B. No. 135, "An act relating to the support of the poor."

H. B. No. 137, "An act to dissolve the bonds of Matrimony existing between Peter Greenish and Mrs. E. Greenish."

H. B. No. 138, "An act to amend an act entitled 'An act granting Franklin Ruff and others certain rights.'"

H. B. No. 139, "An act to incorporate the Jefferson Bridge Company."

H. B. No. 140, "An act to dissolve the bonds of Matrimony between Henry D. Moyer and Abigail Moyer, his wife."

H. B. No. 141, "An act granting compensation to C. H. Sacket."

H. B. No. 142, "An act concerning partition of real estate."

H. B. No. 143, "An act concerning fraudulent conveyances and contracts."

J. R. In favor of A. J. Oliver was concurred in by the Council with amendment which is herewith transmitted.

C. J. R. In reference to holding terms of Court in the 3rd Judicial District, and of House concurring in.

Geo. A. Haynes
Secretary of Council

House Joint Resolution in favor of A. J. Oliver being under consideration with the amendments made by the Council.

Mr. Mayhew offered the following amendment to the amendment made by the Council. Strike out of said Council amendment "and D. W. Tilton and Co. \$17.50 for papers furnished the Council." The amendment was agreed to and so amended, the resolution was agreed to.

Mr. McCormick offered the following resolution:

Resolved, by the Council and House of Representatives of the Territory of Montana that all of Section 10 of C. B. No. 31, entitled "An act in relation to Counties and County Officers after the word 'provided' in line twenty be stricken out, including the word 'provided'." Resolution adopted.

On motion of Mr. Mayhew, a committee of two was appointed consisting of Messrs. Mayhew and McCormick to inform the Council the House was in waiting ready to receive them in Joint Convention.

The Council appearing, the two Houses went into Joint Session, the President of the Council in the Chair. The roll of the two Houses having been called. All present.

Mr. Smith made a motion that the Clerk of the House act as Secretary of the Joint Session. Carried.

Mr. McCormick of the House moved that the Joint Convention proceed to elect the officers by ballot. Lost.

The Sergeant-at-Arms was sent after a copy of the law providing for the election of the said officers by a Joint Convention of the two Houses. The law having been read.

On motion of Mr. Worden of the Council, the Convention proceeded to elect a Territorial Auditor. Mr. John S. Lott was nominated by Mr. Courtright. R. M. Hagerman was nominated by Mr. McCormick. The vote stood: For John S. Lott - 13 votes. For R. M. Hagerman - 6 votes. On motion of Mr. Bagg of the Council, John S. Lott was declared the unanimous choice of the Convention for Territorial Auditor.

The Convention then proceeded with the election of Territorial Treasurer. Geo. B. Parker was nominated by Mr. McCormick. J. G. Hull was nominated by Mr. Thompson. The vote resulted as follows: For George B. Parker - 12 votes. For J. G. Hull - 7 votes. On motion of Mr. Worden,

the Convention declared George B. Parker their unanimous choice for Territorial Treasurer.

The Convention then proceeded to the election of Superintendent of Public Instruction. Prof. Dimsdale was nominated by Mr. Merriman. L. F. Dunlap was nominated by the President, M. Lawrence. The votes being counted, resulted as follows: For Prof. Dimsdale - 5 votes. For L. F. Dunlap — 14 votes. On motion of Mr. Merriman of the Council, L. F. Dunlap was declared the unanimous choice of the Joint Convention for Superintendent of Public Instruction. On motion of Mr. Bagg, the Convention adjourned.

When the Council withdrew the House resumed its sitting.

Mr. McCormick introduced House Bill No. 145, "An act for the relief of Robert Hereford." Read a first and second time. Mr. Faulds offered to amend as follows: Strike out the word "four hundred" and insert "one hundred". Lost. The Rules were then suspended and the bill passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 11.

Nays: None.

The title was agreed to.

On motion of Mr. McCormick, the House adjourned to 2 o'clock p.m.

AFTERNOON SESSION

House met. Speaker in the Chair. Roll called. Absent: Courtright, McCormick, Ryan.

The following communication was received from the Council:

Council Chamber
February 9th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that action was had on the Governor's message in relation to an act "To regulate proceedings in civil cases in the Courts of Justice of the Territory of Montana and the bill passed the objections of the Governor to the contrary notwithstanding."

H. B. No. 144, "An act concerning conveyances", passed.

Resolution of the House repealing a portion of Section 10 of C. B. No. 31, in relation to "An act relating to County and County Officers", was concurred in by the Council this day.

George A. Haynes
Secretary of Council

The following message was received from the Governor:

Executive Office
Bannack City
February 8th, 1865

To the Honorable Speaker of the House of Representatives

Sir:

I have this day signed the following House Bills, Viz:

No. 75, "An act to incorporate and establish the Idaho and Montana Wagon Road Company."

No. 110, "An act to incorporate the Madison County Mining Company."

No. 118, "An act to incorporate the Oro Fino Mining Company."

No. 119, "An act to incorporate the Grasshopper Drain Ditch Company."

No. 122, "An act authorizing County Commissioners to pay interest on county warrants."

No. 130, "An act defining the duties of Territorial Auditor and Treasurer of the Territory of Montana."

Yours respectfully,

Sidney Edgerton
Governor

Robert Hill
Priv. Secy.

On motion of Mr. McCormick, the House adjourned to 7 o'clock p.m.

EVENING SESSION

House met. Speaker in the Chair. Roll called. Absent: Bell, Faulds, Huffaker, Johnson, McCormick, Stuart.

The following message was received from the Council:

Council Chamber
February 9th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that the following bills passed this day, Viz:

C. B. No. 131, "An act to amend an act entitled 'An act concerning Counties and County Officers.'"

H. B. No. 145, "An act for the relief of Robert Hereford." The vote passing House Resolution in relation to C. B. No. 31, "An act concerning Counties and County Officers," was reconsidered and said resolution indefinitely postponed.

Council Bill No. 131 was read the first and second times, the Rules suspended, read a third time and passed.

Ayes: Bell, Buck, Courtright, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 11.

Nays: None.

There being no objection, the title was agreed to.

The following message was received from the Council:

Council Chamber
February 9th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that the following bills passed this day:

H. B. No. 126, "An act to provide for contested elections."

C. B. No. 132, "An act directing the Auditor to issue certain warrants."

George A. Haynes
Secretary of Council

Council Bill No. 132 was read the first and second times, Rules suspended, read a third time and passed.

Ayes: Bell, Buck, Faulds, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 9.

Nays: Courtright, Huffaker — 2.

The title was agreed to.

The following message was received from the Council:

Council Chamber
February 9th, 1865

Mr. Speaker:

I am directed by the Council to inform your Honorable Body that the following Resolution passed the Council this day:

Resolution, in reference to the seal of Montana Territory.

George A. Haynes
Secretary of Council

On motion of Mr. Mayhew, the House took Council Resolution in relation to the seal of Montana Territory under consideration. Read first and second times, Rules suspended, read a third time and passed.

Ayes: Bell, Buck, Courtright, Faulds, Huffaker, Johnson, Mayhew, McCormick, Ryan, Stuart, Smith, Mr. Speaker — 12.

Nays: None.

The Joint Committee on Enrollment have presented the following bills to the Governor for his approval: H. B. Nos. 103, 141, 88, 137, 138, 115, 140, 134, 133, 137, 135, 12, 144, 146, 66, 142, 145, 136, 143 and 126.

Smith,
Chairman

Mr. McCormick introduced House Bill No. 147: "To provide extra compensation to Haynes and Brown." Read first and second times. On motion of Mr. Mayhew, the bill was laid on the table indefinitely.

On motion of Mr. Smith, a committee of two was appointed to wait on the Council and inquire if they had anything further to communicate to the House. Messrs. Smith and Bell were appointed said committee.

A committee from the Council waited on the House, inquiring if the House had anything further to communicate to the Council.

The House had nothing further to communicate.

The committee appointed to wait on the Council returned and reported the Council had nothing further to communicate. The House took a recess of one hour. At the end of the hour, the Speaker resumed the Chair.

Mr. McCormick offered the following Resolution:

Resolved, by the members of the House of Representatives that a vote

of thanks be tendered the Honorable Speaker of the House, George Detwiler, for the courtesy and impartiality that has characterized all of his acts towards members of this House as a presiding officer. Resolution adopted.

The following Resolution was adopted by the House:

Resolved, that the thanks of the House be tendered the Chaplain, J. R. Carr for the sincere interest he has manifested for our welfare.

Mr. Bell offered the following Resolution. Adopted.

Resolved, that S. C. Edgerton, the Page of this House, receive the thanks of its members for the faithful manner he has discharged his duties.

The following message was received from the Governor:

Executive Office
Bannack City
February 9th, 1865

Honorable Speaker of the House of Representatives

Sir:

I have this day signed the following bills, Viz:

No. 66: "An act concerning limitations."

No. 88: "An act to incorporate the Gallatin Ferry Co."

No. 103: "Concerning licenses."

No. 134: "Granting relief to taxpayers."

No. 135: "Relating to the poor."

No. 133: "An act to provide for the formation of partnerships."

No. 136: "To incorporate the California Mining Co."

No. 137: "To dissolve the bonds of Matrimony between Peter Greenish and E. Greenish, his wife."

No. 140: "To dissolve the bonds of Matrimony between Henry D. Moyer and Abigail Moyer, his wife."

No. 138: "To incorporate the Jefferson Bridge Co."

No. 141: "To compensate C. H. Sacket."

No. 142: "Concerning partition of real estate."

No. 143: "Concerning fraudulent conveyances and contracts."

No. 144: "For the relief of Robert Hereford."

No. 146: "Relating to forms."

No. 126: "To provide for contested elections."

No. 115: "To compensate Harry Burns."

Yours respectfully,

Sidney Edgerton
Governor

Robert Hill
Priv. Secy.

On motion of Mr. McCormick, the Sergeant-at-Arms was instructed to notify the Council that the House would be ready to adjourn in ten minutes. A message was received from the Council notifying the House they would be ready to adjourn in ten minutes.

On motion of Mr. McCormick, the House resolved to adjourn at 30 minutes past 10 o'clock this p.m.

Minutes of this day read and approved. The hour of thirty minutes past ten o'clock having arrived, the Speaker declared the House adjourned Sine Die.

George G. Stevens
Asst. Clerk
House of Representatives

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CJR	Council Joint Resolution
CJM	Council Joint Memorial

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- 126 Introduced by Mayhew: "An Act to provide for contested elections"
Legislative Day 45, 48
- 127 Introduced by Bell: "An Act authorizing auditors to take acknowledgements of Deeds"
Legislative Day 45
- 128 Introduced by Mayhew: "An Act to provide for vacancy in the Legislature"
Legislative Day 46, 47
- 129 Introduced by Mayhew: "An Act concerning joint rights and obligations"
Legislative Day 46, 47
- 130 Introduced by Smith: "An Act defining the duties of the Territorial Auditor and Treasurer"
Legislative Day 46, 47, 48
- 131 Introduced by McCormick: "An Act apportioning the members of the Legislative Assembly of the Territory of Montana"
Legislative Day 46, 47
- 132 Introduced by Ryan: "An Act for the better observance of the Lord's Day"
Legislative Day 46
- 133 Introduced by Buck: "An Act to provide for the formation of partnerships"
Legislative Day 46, 48
- 134 Introduced by McCormick: "An Act granting relief to tax payers"
Legislative Day 46, 48
- 135 Introduced by Bell: "An Act for the relief of the poor"
Legislative Day 46, 48

- 136 Introduced by Courtright: "An Act to incorporate the California Mining Company" (erroneously numbered - introduced as House Bill No. 135)

Legislative Day 46, 47

- 137 Introduced by Courtright: "An Act to dissolve the bonds of Matrimony existing between Peter Greenish and Mrs. E. Greenish" (erroneously numbered - introduced as No. 136)

Legislative Day 47, 48

- 138 Introduced by Courtright: "An Act to amend an act granting to Franklin Ruff, James Hiester, Antoine Premeau the right to have and maintain a ferry and bridge across the Jefferson River on the road from Virginia City to Fort Benton and Prickley Pear" (erroneously numbered - introduced as No. 137)

Legislative Day 47, 48

- 139 Introduced by Buck: "An Act to incorporate the Jefferson Bridge Company" (erroneously numbered - introduced as No. 138)

Legislative Day 47, 48

- 140 Introduced by Courtright: "An Act to dissolve the bonds of Matrimony between Henry D. Moyer and Abigail Moyer, his wife" (erroneously numbered - introduced as No. 134)

Legislative Day 46, 48

- 141 Introduced by Bell: "An Act granting compensation to C. H. Sackett" (erroneously numbered - Introduced as No. 139)

Legislative Day 47, 48

- 142 Introduced by Johnson: "An Act concerning partition of real estate"

Legislative Day 47, 48

- 143 Introduced by Mayhew: "An Act concerning fraudulent conveyances and contracts"

Legislative Day 47, 48

- 144 Introduced by Faulds: "An Act concerning conveyances"

Legislative Day 48

- 145 Introduced by McCormick: "An Act for the relief of Robert Hereford"

Legislative Day 48

- 146 Introduced by Bell: "An Act relating to forms"

Legislative Day 48

- 147 Introduced by McCormick: "To provide extra compensation to Haynes and Brown" (Reference is made to House Bill No.

(without number) entitled: "An Act to regulate proceedings in Courts of Justice in the Territory of Montana," in a message from Governor Sidney Edgerton on the 47th day of the Session)

Legislative Day 48

HOUSE JOINT MEMORIALS

- 1 Introduced by Committee on Indian Affairs: "Relative to a proposed treaty with the Snake Indians"

Legislative Day 9, 10

COUNCIL BILLS

- 1 Introduced by Potter: "An Act to designate the style of the enacting clause of the Legislative Acts of the Territory of Montana"
Legislative Day 5, 20
- 2 Introduced by Potter: "An Act to locate the seat of government of the Territory of Montana"
Legislative Day 28, 34, 35, 37, 38, 39, 40
- 3 Introduced by Worden: "An Act declaratory of the rights of occupants of the public domain"
Legislative Day 12, 13
- 4 Introduced by Worden: "An Act to prevent ranchmen and others from using stock left with them, without the consent of the owners"
Legislative Day 6
- 5 Introduced by Worden: "An Act to create a lien in favor of ranchmen and others"
Legislative Day 8, 9, 11, 13, 35
- 6 Introduced by Merriman: "An Act to authorize J. R. Malone and others to establish and maintain a ferry across Big Horn River, at or near the mouth of the Big Horn Canon or Pompey's Tower"
Legislative Day 20, 21, 33
- 7 Introduced by Potter: "An Act to incorporate the Beaver Head and Big Hole Bridge Company"
Legislative Day 19
- 8 Introduced by Bagg: "An Act to regulate the sale of horses, mules, asses, jennies, and cattle, at auction, in Montana Territory"
Legislative Day 8, 11
- 9 Introduced by Thompson: "An Act to provide for the expenses of Montana Territory"
Legislative Day 8, 9, 11
- 10 Introduced by Worden: "An Act granting to R. T. Harris and others the right to have and maintain a ferry or bridge across the waters of the Yellow Stone River on the road from Bozeman City to Yellow Stone City, on the 'cut off'"
Legislative Day 17, 32, 33

- 11 Introduced by Leavitt: "An Act granting to C. R. Bissell and J. E. Bissell the right to build or construct a wagon road by the most direct route from the Silver Bow to the Jefferson River"
Legislative Day 18, 19
- 12 Introduced by Merriman: "An Act to incorporate the Valparaiso Gold and Silver Mining Company"
Legislative Day 19, 21, 23
- 13 Introduced by Potter: "An Act to legalize certain acts of the people of Montana Territory"
Legislative Day 10, 11, 12
- 15 Introduced by Thompson: "An Act to incorporate the Historical Society of Montana"
Legislative Day 14, 37
- 17 Introduced by Baggs: "An Act concerning lost goods and estrays"
Legislative Day 11, 18, 19
- 18 Introduced by Thompson: "An Act to prevent the counterfeiting of gold dust"
Legislative Day 11
- 19 Introduced by Thompson: "An Act to incorporate the Beaver Head Mining Company"
Legislative Day 13, 29
- 21 Introduced by Potter: "An Act concerning chattel mortgages"
Legislative Day 12, 13
- 22 Introduced by Potter: "An Act relating to the discovery of gold and silver quartz leads, lodes, or ledges, and of the manner of their location"
Legislative Day 10, 11
- 23 Introduced by Thompson: "An Act in relation to notaries public"
Legislative Day 11
- 24 Introduced by Potter: "An Act to prescribe the rate of interest in this Territory"
Legislative Day 11, 12, 13
- 25 Introduced by Leavitt: "An Act to incorporate the North Side Ditch Company"
Legislative Day 19, 21, 28
- 26 Introduced by Potter: "An Act concerning bills of exchange and promissory notes"
Legislative Day 11, 12

- 27 Introduced by Potter: "An Act concerning crimes and punishments"
Legislative Day 12, 23, 24, 30, 35, 36
- 28 Introduced by Potter: "An Act to regulate proceedings in criminal cases in the courts of justice in the Territory of Montana"
Legislative Day 11, 12
- 29 Introduced by Potter: "An Act to incorporate the Montana Gold and Silver Mining Company"
Legislative Day 13
- 30 Introduced by Merriman: "An Act to regulate certain acts of mining district recorders"
Legislative Day 15, 16, 19
- 31 Introduced by Potter: "An Act relating to counties and county officers"
Legislative Day 42, 43, 44, 45, 46, 48
- 32 Introduced by Thompson: "An Act to dissolve the bonds of matrimony existing between Leonard A. Gridley and Maranda E. Gridley"
Legislative Day 13
- 33 Introduced by Worden: "An Act to prevent the trespassing of animals upon private property"
Legislative Day 14, 15
- 35 Introduced by Potter: "An Act to provide compensation to Henry Thompson, for services rendered to the Territory"
Legislative Day 17, 18, 19
- 37 Introduced by Merriman: "An Act concerning weights and measures"
Legislative Day 17, 18, 29
- 38 Introduced by Thompson: "An Act establishing a Common School System for the Territory of Montana"
Legislative Day 26, 28, 33, 35, 36, 37
- 39 Introduced by Merriman: "An Act to provide for and regulate the rates of charges for publication of legal documents"
Legislative Day 17
- 40 Introduced by Worden: "An Act creating certain officers in the Territory of Montana, declaring to whom resignations shall be made, when offices shall be deemed vacant, and the manner of filling vacancies"
Legislative Day 33, 44

- 41 Introduced by Merriman: "An Act to incorporate the Jefferson Town Company"
Legislative Day 19
- 42 Introduced by Thompson: "An Act to incorporate the Rocky Mountain Gold and Silver Mining Company"
Legislative Day 18, 27
- 43 Introduced by Potter: "An Act adopting the common law of England"
Legislative Day 19
- 44 Introduced by Merriman: "An Act to incorporate the Bannack City and Montana Wagon Road Company"
Legislative Day 29, 37
- 45 Introduced by Leavitt: "An Act to provide increased compensation to officers in this Territory"
Legislative Day 22, 23, 24, 28
- 46 Introduced by Baggs: "An Act concerning the writ of habeas corpus"
Legislative Day 17, 18
- 47 Introduced by Baggs: "An Act prohibiting certain games in Montana Territory"
Legislative Day 18, 19
- 49 Introduced by Baggs: "An Act to authorize John S. Lott and M. H. Lott to use the waters of Wisconsin Gulch"
Legislative Day 17, 18, 30, 34
- 50 Introduced by Merriman: "An Act relating to fords"
Legislative Day 19, 30
- 51 Introduced by Baggs: "An Act to incorporate the Junction City Town Company"
Legislative Day 21, 23, 32
- 53 Introduced by Potter: "An Act designating the time for holding a term of the district court in Madison County"
Legislative Day 20
- 54 Introduced by Potter: "An Act to incorporate the Madison Ditch Company"
Legislative Day 26, 28, 29, 31
- 55 Introduced by Potter: "An Act to incorporate the Prickly Pear and Virginia City Wagon Road Company"
Legislative Day 28, 30, 39

- 56 Introduced by Bagg: "An Act to incorporate the Missouri River Portage and Railroad Company"

Legislative Day 30, 31

- 58 Introduced by Thompson: "An Act to authorize Gad E. Upson and his associates to maintain a ferry across Sun River"

Legislative Day 28, 33, 34

- 59 Introduced by Bagg: "An Act to incorporate the Yellowstone Anthracite and Bituminous Coal Company"

Legislative Day 26, 28, 32, 33, 34

- 60 Introduced by Merriman: "An Act to incorporate the Empire Mining Company"

Legislative Day 30, 33

- 61 Introduced by Bagg: "An Act providing for the collection of the revenue"

Legislative Day 28, 30, 36, 37

- 62 Introduced by Bagg: "An Act to provide compensation to B. B. Burchett for services rendered the Territory"

Legislative Day 42

- 63 Introduced by Merriman: "An Act to incorporate the Consolidated Mining Company of Montana"

Legislative Day 22

- 64 Introduced by Potter: "An Act to enable road, ditch, manufacturing and other companies to become bodies corporate"

Legislative Day 36, 39

- 65 Introduced by Bagg: "An Act to incorporate the Excelsior Coal Manufacturing Company"

Legislative Day 28

- 66 Introduced by Worden: "An Act authorizing Frank H. Woody and C. E. Irwin to establish a ferry or bridge across the Hell Gate River"

Legislative Day 28, 30

- 67 Introduced by Merriman: "An Act to incorporate the Silver Mountain Mining Company"

Legislative Day 30, 31

- 69 Introduced by Merriman: "An Act concerning the location of tunnel claims"

Legislative Day 30, 33, 34

- 70 Introduced by Merriman: "An Act to incorporate the Gallatin Valley Ditch Company"

Legislative Day 33, 35, 43, 45

- 71 Introduced by Merriman: "An Act concerning the construction of statutes"

Legislative Day 28, 43

- 72 Introduced by Merriman: "An Act to authorize the appointment of a commissioner of deeds"

Legislative Day 28, 33

- 73 Introduced by Baggs: "An Act defining the County boundary lines in Montana Territory"

Legislative Day 28, 30, 36, 39, 41

- 74 Introduced by Baggs: "An Act to increase the number of members in the Council and House of Representatives, and to apportion the Territory of Montana into Council and Representative Districts"

Legislative Day 42, 44, 45, 46

- 76 Introduced by Baggs: "An Act to incorporate the Montana Ditch Company"

Legislative Day 28, 36, 40, 45

- 77 Introduced by Potter: "An Act to incorporate the Deer Lodge Valley Mining Company"

Legislative Day 28, 36, 37

- 79 Introduced by Worden: "An Act to incorporate the Missoula Town Company"

Legislative Day 31

- 81 Introduced by Merriman: "An Act to incorporate the Prickly Pear, Deer Lodge and Silver Bow Wagon Road Company"

Legislative Day 33, 37

- 82 Introduced by Leavitt: "An Act to incorporate the Bannack Gold and Silver Bow Wagon Road Company"

Legislative Day 32, 33, 38, 39, 42

- 83 Introduced by Baggs: "An Act to incorporate the Montana Bridge Company"

Legislative Day 33, 35, 45

- 84 Introduced by Thompson: "An Act to incorporate the Ashland Gold and Silver Mining Company"

Legislative Day 33

- 85 Introduced by Potter: "An Act to secure certain privileges to Thomas D. Pitt"
Legislative Day 33, 37
- 86 Introduced by Merriman: "An Act to incorporate the Eureka Coal Mining and Manufacturing Company"
Legislative Day 33, 37
- 87 Introduced by Worden: "An Act to incorporate the Willow Creek Town Company"
Legislative Day 33
- 90 Introduced by Bagg: "An Act to incorporate the Montana Quicksilver Company"
Legislative Day 42, 45
- 91 Introduced by Potter: "An Act to incorporate the Stock Exchange and Board of Trade of Virginia City"
Legislative Day 35, 36, 45
- 92 Introduced by Worden: "An Act to incorporate the Alki Town Company"
Legislative Day 35, 36
- 93 Introduced by Merriman: "An Act to incorporate the Helena Ditch Company"
Legislative Day 36, 39, 42, 43, 45
- 94 Introduced by Leavitt: "An Act to incorporate the Marysville Town Company"
Legislative Day 37, 38, 47
- 95 Introduced by Potter: "An Act to incorporate the Eureka Gold and Silver Mining Company"
Legislative Day 36
- 96 Introduced by Merriman: "An Act to provide for the issuing and serving certain legal processes on Sunday"
Legislative Day 35, 36
- 97 Introduced by Potter: "An Act defining the time for acts and joint resolutions to take effect"
Legislative Day 36, 38, 39
- 98 Introduced by Bagg: "An Act relating to the printing of laws and journals of the Council and House of the first Legislative Assembly of the Territory of Montana"
Legislative Day 36

- 100 Introduced by Potter: "An Act concerning divorces and alimony"
Legislative Day 41, 43
- 101 Introduced by Leavitt: "An Act to provide for stay of procedure in foreign indebtedness"
Legislative Day 42, 44
- 102 Introduced by Bagg: "An Act to incorporate the Norwegian Ditch Company"
Legislative Day 43, 44, 46
- 103 Introduced by Merriman: "An Act to incorporate the Prickly Pear Gold and Silver Mining Company"
Legislative Day 43
- 104 Introduced by Potter: "An Act to incorporate the American Gold and Silver Mining Company of Montana"
Legislative Day 43
- 105 Introduced by Potter: "An Act to incorporate the Upper Missouri River Steam Navigation Company"
Legislative Day 43
- 106 Introduced by Potter: "An Act to incorporate the Stinking Water Ditch Company"
Legislative Day 42, 43
- 107 Introduced by Worden: "An Act to incorporate the Silver Bow Town Company"
Legislative Day 42
- 108 Introduced by Merriman: "An Act to change the name of Montana City to Prickly Pear, and to incorporate the same"
Legislative Day 42
- 109 Introduced by Merriman: "An Act to regulate the fees of officers, jurors and witnesses"
Legislative Day 45, 47
- 112 Introduced by Bagg: "An Act to incorporate the City of Nevada"
Legislative Day 43, 45, 46
- 113 Introduced by Leavitt: "An Act to incorporate the Helena Wagon Road Company"
Legislative Day 43
- 116 Introduced by Merriman: "An Act to authorize and enable A. Sullivan to sell and convey certain mining claims"
Legislative Day 43

- 117 Introduced by Merriman: "An Act to incorporate the Boulder Town Company"

Legislative Day 44

- 118 Introduced by Bagg: "An Act to incorporate the Madison County Coal Company"

Legislative Day 47

- 120 Introduced by Thompson: "An Act to incorporate the Phoenix Gold and Silver Mining Company"

Legislative Day 44, 45

- 121 Introduced by Thompson: "An Act to incorporate the Kalida Gold and Silver Mining Company"

Legislative Day 44, 45

- 122 Introduced by Potter: "An Act supplemental to An Act to provide for the expenses of Montana Territory"

Legislative Day 43

- 123 Introduced by Worden: "An Act to incorporate the Ophir Flat Head River Wagon Road Company"

Legislative Day 44, 45, 46

- 124 Introduced by Worden: "An Act to incorporate the Montreal Town Company"

Legislative Day 46

- 125 Introduced by Potter: "An Act relating to gulch, hill and placer mines"

Legislative Day 45, 46, 47

- 126 Introduced by Thompson: "An Act amendatory to An Act concerning conveyances"

Legislative Day 45, 47

- 127 Introduced by Bagg: "An Act dissolving the bonds of Matrimony between James R. Bigelow and Maria E. Bigelow"

Legislative Day 46

- 128 Introduced by Bagg: "An Act to provide for vacancies in the Legislature"

Legislative Day 47

- 129 Introduced by Leavitt: "An Act to incorporate the Grasshopper Canon Road Company"

Legislative Day 47

- 131 Introduced by Bagg: "An Act to amend an act entitled: 'An Act concerning counties and county officers'"

Legislative Day 48

- 132 Introduced by Thompson: "An Act directing the auditor to issue certain warrants"

Legislative Day 48

COUNCIL JOINT RESOLUTIONS

- 7 Introduced by Leavitt: "Tendering thanks to the U. S. Armies, etc."
Legislative Day 36
- 8 Introduced by Bagg: "Relating to the codification of the laws of Montana Territory"
Legislative Day 42
- 9 Introduced by Potter: "Declaratory of the duty of Commissioners of Madison County in a special case"
Legislative Day 46
- 10 Introduced by Bagg: "Relating to the repeal of the laws of Idaho"
Legislative Day 46
- 11 Introduced by Thompson: "In reference to terms of court in the 2nd Judicial District"
Legislative Day 46, 47
- 12 Introduced by Merriman: "In reference to holding terms of Court in the 3rd Judicial District"
Legislative Day 47
- 13 Introduced by Thompson: "In reference to Montana Territorial Seal"
Legislative Day 48
- 14 Introduced by Thompson: "In reference to the duties of Territorial Auditor in issuing warrants to members & attachees of each house"
Legislative Day 48

COUNCIL JOINT MEMORIALS

- 2 Introduced by Worden: "For a weekly mail from Virginia City to Hell Gate, etc."

Legislative Day 19

- 3 Introduced by Potter: "For increased pay to Officers of this Territory"

Legislative Day 18

- 5 Introduced by Thompson: "Asking for a direct mail from Bannack City to the Missouri River"

Legislative Day 25

